

A History of England,

BY

JOHN LINGARD, D.D.

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A
HISTORY OF ENGLAND,
FROM THE FIRST
INVASION BY THE ROMANS.

BY
JOHN LINGARD, D.D

--
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LINGARD'S HISTORY OF ENGLAND.

CHAPTER I.

THE PROTECTORATE.

Cromwell calls the 'little parliament'—Dissolves it—Makes himself Protector—Subjugation of the Scottish Royalists—Peace with the Dutch—New Parliament—Its Dissolution—Insurrection in England—Breach with Spain—Troubles in Piedmont—Treaty with France.

WHOEVER has studied the character of Cromwell will have remarked the anxiety with which he laboured to conceal his real designs from the notice of his adherents. If credit were due to his assertions, he cherished none of those aspiring thoughts which agitate the breasts of the ambitious; the consciousness of his weakness taught him to shrink from the responsibility of power; and at every step in his ascent to greatness, he affected to sacrifice his own feelings to the judgment and opportunity of others. But in dissolving the late parliament he had deviated from this his ordinary course: he had been compelled to come boldly forward by the obstinacy or the policy of his opponents, who during twelve months had triumphed over his intrigues, and were preparing to pass an act which would place new obstacles in his path. Now, however, that he had forcibly taken into his own hands the reins of government, it remained for him to determine whether he should retain them in his grasp, or deliver them over to others. He preferred the latter. For the maturity of time was not yet come: he saw that, among the officers who blindly submitted to be the tools of his ambition, there were several who would abandon the idol of their worship, whenever they should suspect him of a design to subvert the public liberty. But if he

parted with power for the moment, it was in such manner as to warrant the hope that it would shortly return to him under another form, not as won by the sword of the military, but as deposited in his hands by the judgment of parliament.

It could not escape the sagacity of the lord-general that the fanatics, with whose aid he had subverted the late government, were not the men to be intrusted with the destinies of the three kingdoms: yet he deemed it his interest to indulge them in their wild notions of civil and religious reformation, and to suffer himself for a while to be guided by their counsels. Their first measure was to publish a *Vindication of their Proceedings* *. The long parliament they pronounced incapable "of answering those ends which God, his people, and the whole nation, expected." Had it been permitted to sit a day longer, it would "at one blow have laid in the dust the infest of all honest men and of their glorious cause." In its place the council of war would "call to the government persons of approved fidelity and honesty;" and therefore required "public officers and ministers to proceed in their respective places," and conjured "those who feared and loved the name of the Lord, to be instant with him day and night in their behalf †."

They next proceeded to establish a council of state. Some proposed that it should consist of ten members; some of seventy, after the model of the Jewish Sanhedrim; and others of thirteen, in imitation of Christ and his twelve apostles. The last project was adopted as equally scriptural, and more convenient. With Cromwell, in the place of lord-president, were joined four civilians and eight officers of high rank; so that the army still retained its ascendancy, and the council of state became in fact a military council.

* Printed by Henry Hills and Thomas Brewster, printers to the army, 1653.

† Ludlow, ii. 24. Thurloe, i. 289, 395. Sir H. Vane, after all the affronts which he had received, was offered a place in the council; but he replied that, though the reign of the saints was begun, he would defer his share in it till he should go to heaven. Thurloe, i. 265.

From this moment for some months it would have embarrassed any man to determine where the supreme power resided. Some of the judges were superseded by others; new commissioners of the treasury and admiralty were appointed; even the monthly assessment of 120,000*l.* was continued for an additional half year; and yet these and similar acts, all of them belonging to the highest authority in the state, appeared to emanate from different sources: these from the council of war, those from the council of state, and several from the lord-general himself, sometimes with the advice of one or other, sometimes without the advice of either of these councils*.

At the same time the public mind was agitated by the circulation of reports the most unfounded, and the advocacy of projects the most contradictory. This day, it was rumoured that Cromwell had offered to recall the royal family on condition that Charles should marry one of his daughters; the next, that he intended to ascend the throne himself, and, for that purpose, had already prepared the insignia of royalty. Here, signatures were solicited to a petition for the re-establishment of the ancient constitution; there, for a government by successive parliaments. Some addresses declared the conviction of the subscribers that the late dissolution was necessary; others prayed that the members might be allowed to return to the house, for the sole purpose of legally dissolving themselves by their own authority. In the mean while the lord-general continued to wear the mask of humility and godliness; he prayed and preached with more than his wonted fervour; and his piety was rewarded, according to the report of his confidants, with frequent communications from the Holy Spirit†. In the month of May he spent eight days in close consultation with his military divan; and the result was a determination to call a new parliament, but a parliament modelled on principles unknown to the history of this

* Whitelock, 556, 7. 9. Leicester's Journal, 142. Merc. Polit. No. 157.

† Thunloe, i. 256. 259. 306.

or of any other nation. It was to be a parliament of saints, of men who had not offered themselves as candidates, or been chosen by the people, but whose chief qualification consisted in holiness of life, and whose call to the office of legislators came from the choice of the council. With this view the ministers took the sense of the "congregational churches" in the several counties: the returns contained the names of the persons, "faithful, "fearing God, and hating covetousness," who were deemed qualified for this high and important trust; and out of these the council in the presence of the lord-general selected one hundred and thirty-nine representatives for England, six for Wales, six for Ireland, and five for Scotland*. To each of them was sent a writ of summons under the signature of Cromwell, requiring his personal attendance at Whitehall on a certain day, to take upon himself the trust, and to serve the office of member for some particular place. Of the surprise with which the writs were received by many the reader may judge. Yet, out of the whole number, two only returned a refusal: by most the very extraordinary manner of their election was taken as a sufficient proof that the call was from heaven†.

On the appointed day, the fourth of July, one hundred and twenty of these faithful and godly men attended in the council-chamber at Whitehall. They were seated on chairs round the table: and the lord-general took his station near the middle window, supported on each side by a numerous body of officers. He addressed the company standing, and it was believed by his admirers, perhaps by himself, "that the Spirit of God spoke in him "and by him." Having vindicated in a long narrative the dissolution of the late parliament, he congratulated

* Thurloe, i. 395. Compare the list of the members in Heath, (350) with the letters in Milton's State Papers, 92, 94, 96.

† Thurloe, i. 274. Whitelock, 547. "It was a great satisfaction and encouragement to some that their names had been presented as to "that service, by the churches and other godly persons." Exact Relation of the Proceedings, &c., of the last Parliament, 1654, p. 2.

the persons present on the high office to which they had been called. It was not of their own seeking. It had come to them from God by the choice of the army, the usual channel through which in these latter days the Divine mercies had been dispensed to the nation. He would not charge them, but he would pray that they might "exercise the judgment of mercy and truth," and might "be faithful with the saints," however those saints might differ respecting forms of worship. His enthusiasm kindled as he proceeded; and the visions of futurity began to open to his imagination. It was, he exclaimed, marvellous in his eyes: they were called to war with the Lamb against his enemies; they were come to the threshold of the door, to the very edge of the promises and prophecies; God was about to bring his people out of the depths of the sea: perhaps to bring the Jews home to their station out of the isles of the sea. "God," he exclaimed, "shakes the mountains, and they reel: God hath a high hill, too, and his hill is as the hill of Bashan; and the chariots of God are twenty thousand of angels; and God will dwell upon this hill for ever." At the conclusion "of this grave, Christian, and seasonable speech," he placed on the table an instrument under his own hand and seal, intrusting to them the supreme authority for the space of fifteen months from that day, then to be transmitted by them to another assembly, the members of which they should previously have chosen*.

The next day was devoted by the new representatives to exercises of religion, not in any of the churches of the July capital, but in the room where the late parliament was⁵ accustomed to sit. Thirteen of the most gifted among them successively prayed and preached, from eight in the morning till six in the evening; and several affirmed "that they had never enjoyed so much of the spirit and

* Proceedings, No. 197. Parl. Hist. xx. 153. Milton's State Papers. 106. This last appears to me a more faithful copy than that printed by authority.

“presence of Christ in any of the meetings and exercises of religion in all their lives, as they did on that day.” As it was solely to their reputation for superior godliness, that the majority of the members owed their election, the lord-general probably expected from them little opposition to his measures; but they no sooner applied to business than he saw reason to be alarmed at the promptitude and resolution which they displayed. Though not distinguished by their opulence, they were men of independent fortunes*: during the late revolutions they had learned to think for themselves on the momentous questions which divided the nation; and their fanaticism, by converting their opinions into matters of conscience, had superadded an obstinacy of character not easily to be subdued. To Cromwell himself they always behaved with respect. They invited him with four of his officers to sit as a member among them; and they made him the offer of the palace of Hampton court in exchange for his house of Newhall. But they believed and showed that they were the masters. They scorned to submit to the dictation of their servants; and, if they often followed the advice, they as often rejected the recommendations and amended the resolutions of the council of state.

One of the first subjects which engaged their attention was a contest, in which the lord-general, with all his power, was foiled by the boldness of a single individual. At the very moment when he hoped to read the fruit of his dissimulation and intrigues, he found himself unexpectedly confronted by the same fearless and enterprising demagogue, who, at the birth of the commonwealth, had publicly denounced his ambition, and excited the soldiery against him. Lilburne, on the disso-

* They have been generally described as men in trade, and of no education; and because one of them, Praise God Barebone, was a leather dealer in Fleet-street, the assembly is generally known by the denomination of Barebone's parliament. (Heath, 350.) It is, however, observed by one of them, that “if all had not very bulky estates, yet they had free estates, and were not of broken fortunes, or such as owed great sums of money, and stood in need of privilege and protection as formerly.” *Exact Relation*, 19. See also *Whitelock*, 559.

lution of the long parliament, had requested permission of Cromwell to return from banishment. Receiving no answer, he came over at his own risk,—a bold but imprudent step : for what indulgence could he expect from that powerful adventurer, whom he had so often denounced to the nation as “a thief, a robber, an usurper, and “a murderer?” On the day after his arrival in the capital he was committed to Newgate. It seemed a case which might safely be intrusted to a jury. His return by the act of banishment had been made felony ; and of his identity there could be no doubt. But his former partisans did not abandon him in his distress. Petitions with thousands of signatures were presented, praying for a respite of the trial till the meeting of the parliament ; and Cromwell, willing, perhaps, to shift the odium from himself to that assembly, gave his consent. Lilburne petitioned the new parliament ; his wife petitioned ; his friends from the neighbouring counties petitioned ; the apprentices in London did not only petition, they threatened. But the council laid before the house the depositions of spies and informers to prove that Lilburne, during his banishment, had intrigued with the royalists against the commonwealth * ; and the prisoner himself, by the intemperance of his publications, contributed to irritate the members. They refused to interfere ; and he was arraigned at the sessions, where, instead of pleading, he kept his prosecutors at bay during five successive days, appealing to Magna Charta and the rights of Englishmen, producing exceptions against the indictment, and demanding his oyer, or the specification of the act for his banishment, of the judgment on which the act was founded, and of the charge which led to that judgment. The court was perplexed. They knew not how to refuse : for he claimed it as his right, and ne-

June
13.July
13.

* It appears from Clarendon's Letters at the time, that Lilburne was intimate with Buckingham, and that Buckingham professed to expect much from him in behalf of the royal cause ; while, on the contrary, Clarendon believed that Lilburne would do nothing for it, and Buckingham not much more. Clarendon Papers, vol. 75. 79. 98.

cessary for his defence. On the other hand, they could not grant it, because no record of the charge or judgment was known to exist.

- Aug. After an adjournment to the next sessions, two days
11. were spent in arguing the exceptions of the prisoner,
16. and his right to theoyer. At length, on a threat that the court would proceed to judgment, he pleaded not guilty. The trial lasted three days. His friends, to the amount of several thousands, constantly attended; some hundreds of them were said to be armed for the purpose of rescuing him, if he were condemned; and papers were circulated that, if Lilburne perished, twenty thousand individuals would perish with him. Cromwell, to encourage the court, posted two companies of soldiers in the immediate vicinity; quartered three regiments of infantry, and one of cavalry, in the city; and ordered a numerous force to march towards the metropolis. The
18. particulars of the trial are lost. We only know that the prosecutors were content with showing that Lilburne was the person named in the act; that the court directed the jury to speak only to that fact; and that the prisoner made a long and vehement defence, denying the authority of the late parliament to banish him, because legally it had expired at the king's death, and because the house of commons was not a court of justice; and, maintaining to the jury, that they were judges of the law as well as of the fact; that, unless they believed him guilty of crime, they could not conscientiously return a verdict which would consign him to the gallows; and that an act of parliament, if it were evidently unjust, was essentially void, and no justification to men, who pronounced according to their oaths. At a late hour at
20. night the jury declared him not guilty; and the shout of triumph, received and prolonged by his partisans, reached the ears of Cromwell at Whitehall.
22. It was not, however, the intention of the lord-general that his victim should escape. The examination of the judges and jurymen before the council, with a certified

copy of certain opprobrious expressions, used by Lilburne Aug. in his defence, was submitted to the house, and an order 27. was obtained that, notwithstanding his acquittal, he should be confined in the Tower, and that no obedience Nov. should be paid to any writ of habeas corpus issued from 26. the court of upper bench in his behalf. These measures gave great offence. It was complained, and with justice, that the men who pretended to take up arms against the king in support of the liberties of Englishmen, now made no scruple of trampling the same liberties under foot, whenever it suited their resentment or interest *

In the prosecution and punishment of Lilburne, the parliament was unanimous; on most other points it was divided into two parties distinctly marked, that of the independents, who, inferior in number, superior in talents, adhered to the lord-general and the council; and that of the anabaptists, who, guided by religious and political fanaticism, ranged themselves under the banner of major-general Harrison as their leader. These "sec-taries" anticipated the reign of Christ with his saints upon earth; they believed themselves called by God to prepare the way for this marvellous revolution; and they considered it their duty to commence by reforming all the abuses which they could discover either in church or state †.

In their proceedings there was much to which no one, who had embarked with them in the same cause, could reasonably object. They established a system of the most rigid economy; the regulations of the excise were revised; the constitution of the treasury was simplified and improved; unnecessary offices were totally abolished, and the salaries of the others considerably reduced; the public accounts were subjected to the most

* He was sent from the Tower to Elizabeth castle in Jersey, and afterwards became a quaker in Dover castle. On the death of Cromwell he was discharged, and died in 1660. Sewall, 227—231. See Thurloe, i. 324. 367, 8, 9. 429. 430. 435. 441, 2. 451. 451. Exact Relation, p. 5. State Trials, v. 415—450. Whitelock, 558. 560, 1. 3. 591. Journals, July 13, 14; Aug. 9. 22. 27; Nov. 26.

† Thurloe, i. 392. 6. 501. 515. 523.

rigorous scrutiny; new facilities were given to the sale of the lands now considered as national property. Provision was made for the future registration of marriages, births, and deaths *. But the fanaticism of their language, and the extravagance of their notions, exposed them to ridicule; their zeal for reform, by interfering with the interests of several different bodies at the same time, multiplied their enemies; and, before the dissolution of the house, they had earned, justly or unjustly, the hatred of the army, of the lawyers, of the gentry, and of the clergy.

1°. It was with visible reluctance that they voted the monthly tax of 120,000*l.* for the support of the military and naval establishments. They were, indeed, careful not to complain of the amount: their objections were pointed against the nature of the tax, and the inequality of the assessments †: but this pretext could not hide their real object from the jealousy of their adversaries, and their leaders were openly charged with seeking to reduce the number of the army, that they might lessen the influence of the general.

2°. From the collection of the taxes they proceeded to the administration of the law. In almost every petition presented of late years to the supreme authority of the nation, complaints had been made of the court of chancery, of its dilatory proceedings, of the enormous expense which it entailed on its suitors, and of the sus-

* For the validity of marriage, if the parties were minors, was required the consent of the parents or guardians, and the age of sixteen in the male, of fourteen in the female: and in all cases that the names of the parties intending to be married should be given to the registrar of the parish, whose duty it was to proclaim them, according to their wish, either in the church after the morning exercise on three successive Lord's days, or in the market place on three successive market days. Having received from him a certificate of the proclamations, containing any exceptions which might have been made, they were to exhibit it to a magistrate, and, before him, to pledge their faith to each other "in the presence of God the searcher of hearts." The religious ceremony was optional, the civil necessary for the civil effects of marriage. See the Journals for the month of August, and Scobell.

† In some places men paid but two; in others, ten or twelve shillings in the pound. *Exact Relation*, p. 10. The assessments fell on the owners, not on the tenants. *Thurloe*, i. 755.

picious nature of its decisions, so liable to be influenced by the personal partialities and interests of the judge *. The long parliament had not ventured to grapple with the subject; but this, the little parliament, went at once to the root of the evil, and voted that the whole system should be abolished. But then came the appalling difficulty how to dispose of the causes actually pending in the court, and how to substitute in its place a less objectionable tribunal. Three bills introduced for that purpose were rejected as inapplicable or insufficient: the committee prepared a fourth; it was read twice in one day, and committed, and would probably have passed, had not the subsequent proceedings been cut short by the dissolution of the parliament †.

3°. But the reformers were not content with the abolition of a single court: they resolved to cleanse the whole of the Augean stable. What, they asked, made up the law? A voluminous collection of statutes, many of them almost unknown, and many inapplicable to existing circumstances; the dicta of judges, perhaps ignorant, frequently partial and interested; the reports of cases, but so contradictory that they were regularly marshaled in hosts against each other; and the usages of particular districts, only to be ascertained through the treacherous memories of the most aged of the inhabitants. Englishmen had a right to know the laws by

* "It was confidently reported by knowing gentlemen of worth, that "there were depending in that court 23,000 (2 or 3000?) causes; that some "of them had been there depending five, some ten, some twenty, some "thirty years; and that there had been spent in causes many hundreds, "nay, thousands of pounds, to the utter undoing of many families." *Exact Relation*, 12.

† *Journals*, Aug. 5; Oct. 17, 22; Nov. 3. *Exact Relation*, 12—15. The next year, however, Cromwell took the task into his own hands, and, in 1655, published an ordinance, consisting of sixty-seven articles "for "the better regulating and limiting the jurisdiction of the high court of "chancery." Widdrington and Whitelock, the commissioners of the great seal, and Lenthall, master of the rolls, informed him by letter, that they had sought the Lord, but did not feel themselves free to act according to the ordinance. The protector took the seals from the two first, and gave them to Feuness and Lisle; Lenthall overcame his scruples, and remained in office. See the ordinance in Scobell, 324: the objections to it in Whitelock, 621.

which they were to be governed; it was easy to collect from the present system all that was really useful; to improve it by necessary additions; and to comprise the whole within the small compass of a pocket volume. With this view, it was resolved to compose a new body of law; the task was assigned to a committee; and a commencement was made by a revision of the statutes respecting treason and murder*. But these votes and proceedings scattered alarm through the courts at Westminster, and hundreds of voices, and almost as many pens, were employed to protect from ruin the venerable fabric of English jurisprudence. They ridiculed the presumption of these ignorant and fanatical legislators, ascribed to them the design of substituting the law of Moses for the law of the land, and conjured the people to unite in defence of their own "birthright" and inheritance," for the preservation of which so many miseries had been endured and so much blood had been shed†.

4°. From men of professed sanctity much had been expected in favour of religion. The sincerity of their zeal they proved by the most convincing test,—an act for the extirpation of popish priests and jesuits, and the disposal of two-thirds of the real and personal estates of popish recusants‡. After this preliminary skirmish with antichrist, they proceeded to attack Satan himself "in his strong hold" of advowsons. It was, they contended, contrary to reason, that any private individual should possess the power of imposing a spiritual guide upon his neighbours; and, therefore, they resolved that

* Journals, Aug. 18, 19; Oct. 20. Exact Relation, 15—18.

† The charge of wishing to introduce the law of God was frequently repeated by Cromwell. It owed its existence to this, that many would not allow of the punishment of death for theft, or of the distinction between manslaughter and murder, because no such things are to be found in the law of Moses. Exact Relation, 17.

‡ To procure ready money for the treasury, it was proposed to allow recusants to redeem the two-thirds for their lives, at four years' purchase. This amendment passed, but with great opposition, on the ground that it amounted to a toleration of idolatry. Ibid. 11. Thurloe, i. 553.

presentations should be abolished, and the choice of the minister be vested in the body of the parishioners ; a vote which taught the patrons of livings to seek the protection of the lord-general against the oppression of the parliament. From advowsons, the next step was to tithes. At the commencement of the session, after a long debate, it was generally understood that tithes ought to be done away, and in their place a compensation be made to the impropiators, and a decent maintenance be provided for the clergy. The great subject of dispute was, which question should have the precedence in point of time, the abolition of the impost, or the substitution of the equivalent. For five months the committee intrusted with the subject was silent : now, to prevent as it was thought, the agitation of the question of advowsons, they presented a report respecting the method of ejecting scandalous, and settling godly, ministers ; to which they appended their own opinion, that incumbents, rectors, and impropiators, had a property in tithes. This report provoked a debate of five days. When the question was put on the first part, though the committee had mustered all the force of the independents in its favour, it was rejected by a majority of two. The second part, respecting the property in tithes, was not put to the vote : its fate was supposed to be included in that of the former ; and it was rumoured through the capital that the parliament had voted the abolition of tithes, and with them of the ministry, which derived its maintenance from tithes *.

Here it should be noticed that, on every Monday during the session, Feakes and Powell, two anabaptist preachers, had delivered weekly lectures to numerous audiences at Blackfriars. They were eloquent enthusiasts, commissioned, as they fancied, by the Almighty, and fearless of any earthly tribunal. They introduced into their sermons most of the subjects dis-

* Journals, July 15—19; Nov. 17; Dec. 1. 6—10, Exact Relation, 418—24.

cussed in parliament, and advocated the principles of their sect with a force and extravagance which alarmed Cromwell and the council. Their favourite topic was the Dutch war. God, they maintained, had given Holland into the hands of the English; it was to be the landing place of the saints, whence they should proceed to pluck the w— of Babylon from her chair and to establish the kingdom of Christ on the continent; and they threatened with every kind of temporal and everlasting woe the man, who should advise peace on any other terms than the incorporation of the United Provinces with the commonwealth of England*. When it was known that Cromwell had receded from this demand, their indignation stripped the pope of many of those titles with which he had so long been honoured by the protestant churches, and the lord-general was publicly declared to be the beast in the Apocalypse, the old dragon, and the man of sin. Unwilling to invade the liberty of religious meetings, he for some time bore these insults with an air of magnanimity: at last he summoned the two preachers before himself and the council. But the heralds of the Lord of Hosts quailed not before the servants of an earthly commonwealth: they returned rebuke for rebuke, charged Cromwell with an unjustifiable assumption of power, and departed from the conference unpunished and unabashed†.

Dec.
6.

By the public the sermons at Blackfriars were considered as explanatory of the views and principles of the anabaptists in the house. The enemies of these reformers multiplied daily: ridicule and abuse were poured upon them from every quarter; and it became evident to all but themselves that the hour of their fall was rapidly approaching. Cromwell, their maker, had

* Beverning, one of the Dutch ambassadors, went to the meeting on one of these occasions. In a letter, he says: "the scope and intention is to preach down governments, and to stir up the people against the united Netherlands. Being then in the assembly of the saints, I heard one prayer, two sermons. But, good God! what cruel and abominable, and most horrid trumpets of fire, murder, and flame." Thurloe, i. 442.

† Thurloe, i. 442. 534. 545. 560. 591. 621.

long ago determined to reduce them to their original nothing; and their last vote respecting the ministry appeared to furnish a favourable opportunity. The next day, the Sunday, he passed with his friends in secret consultation; on the Monday these friends mustered in considerable numbers, and at an early hour took their seats in the house. Colonel Sydenham rose. He reviewed all the proceedings of the parliament, con-
demned them as calculated to injure almost every in-
terest in the state, and, declaring that he would no longer sit in so useless an assembly, moved that the house should proceed to Whitehall, and deliver back the supreme power into the hands of him from whom it was derived. The motion was seconded and opposed; but the independents had come to act not to debate. They immediately rose: the speaker, who was in the secret, left the chair; the sergeant and the clerk accompanied him, and near fifty members followed in a body. The reformers, only twenty-seven in number, (for most of them had not yet arrived) gazed on each other with surprise; their first resource was to fall to prayer; and they were employed in that holy exercise, when Goff and White, two officers, entered, and requested them to withdraw. Being required to show their warrant, they called in a company of soldiers. No resistance was now offered; the military cleared the house, and the keys were left with the guard *.

In the mean while the speaker, preceded by the mace, and followed by Sydenham and his friends, walked through the street to Whitehall. In the way, and after his arrival, he was joined by several members, by some through curiosity, by others through fear. At Whitehall, a form of resignation of the supreme power was hastily engrossed by the clerk, subscribed by the speaker and his followers, and tendered by them to Cromwell.

* Exact Relation, 25, 26. True Narrative, 3. Thurloe, i. 730, 637. I adopt the number given by Mansel, as he could have no motive to diminish it.

The lord-general put on an air of surprise: he was not prepared for such an offer, he would not load himself with so heavy a burthen. But his reluctance yielded to the remonstrances and entreaties of Lambert and the officers, and the instrument was laid in a chamber of the palace for the convenience of such members as had not yet the opportunity of subscribing their names. On the third day the signatures amounted to eighty, an absolute majority of the whole house; on the fourth, a new constitution was published, and Cromwell obtained the great object of his ambition,—the office and authority, though without the title, of king*.

On that day, about one in the afternoon, the lord-general repaired in his carriage from the palace to Westminster-hall, through two lines of military, composed of five regiments of foot and three of horse. The procession formed at the door. Before him walked the aldermen, the judges, two commissioners of the great seal, and the lord mayor; behind him the two councils of state and of the army. They mounted to the court of chancery, where a chair of state with a cushion had been placed on a rich carpet. Cromwell was dressed in a suit and cloak of black velvet, with long boots, and a broad gold band round his hat. He took his place before the chair, between the two commissioners; the judges stood in a half circle behind it, and the civic officers ranged themselves on the right, the military on the left, side of the court.

Dec
16.

* *Exact Relation*, 26. *True Narrative*, 4. *Ludlow*, ii. 33. *Clarendon*, iii. 484. *Thurloe*, i. 754. The author of this new constitution is not known. *Ludlow* tells us that it was first communicated by Lambert to a council of field officers. When some objections were made, he replied, that the general was willing to consider any amendments which might be proposed, but would not depart from the project itself. Some, therefore, suggested that, after the death of the present lord-general, the civil and military government should be kept separate, and that no protector should be succeeded by any of his relatives. This gave so much offence that, at a second meeting, Lambert, having informed them that the lord general would take care of the civil administration, dismissed them to their respective commands. *Ludlow*, ii. 37. It is to this, perhaps, that the Dutch ambassador alludes, when he says that Cromwell desisted from his project of being declared king on account of the displeasure of the officers. *Thurloe*, i. 644.

Lambert now came forward to address the lord-general. He noticed the dissolution of the late parliament, observed that the exigency of the time required a strong and stable government, and prayed his excellency in the name of the army and of the three nations to accept the office of protector of the commonwealth. Cromwell, though it was impossible to conceal the purpose for which he had come thither, could not yet put off the habit of dissimulation; and if, after some demur, he expressed his consent, it was with an appearance of reluctance which no one present could believe to be real.

Jessop, one of the clerks of the council, was next ordered to read the "instrument of government," consisting of forty-two articles. 1°. By it the legislative power was vested in a lord-protector and parliament, but with a provision that every act passed by the parliament should become law at the expiration of twenty days, even without the consent of the protector; unless he could persuade the house of the reasonableness of his objections. The parliament was not to be adjourned, prorogued, or dissolved, without its own consent, within the first five months after its meeting; and a new parliament was to be called within three years after the dissolution of the last. The number of the members was fixed according to the plan projected by Vane at the close of the long parliament, at four hundred for England, thirty for Scotland, and thirty for Ireland. Most of the boroughs were disfranchised, and the number of county members was increased. Every person possessed of real or personal property to the value of 200*l.* had a right to vote*, unless he were a malignant or delinquent, or professor of the catholic faith; and the

* During the long parliament this qualification had been adopted on the motion of Cromwell, in place of a clause recommended by the committee, which gave the elective franchise under different regulations to freeholders, copyholders, tenants for life, and leaseholders. See Journals 30th March, 1653.

disqualifications to which the electors were subject, attached also to the persons elected. 2°. The executive power was made to reside in the lord-protector acting with the advice of his council. He possessed, moreover, the power of treating with foreign states with the *advice*, and of making peace or war, with the *consent*, of the council. To him also belonged the disposal of the military and naval power, and the appointment of the great officers of state with the approbation of parliament, and, in the intervals of parliament, with that of the council, but subject to the subsequent approbation of the parliament. 3°. Laws could not be made, nor taxes imposed, but by common consent in parliament. 4°. The civil list was fixed at 200,000*l.*, and a yearly revenue ordered to be raised for the support of an army of 30,000 men, two-thirds infantry, and one-third cavalry, with such a navy as the lord-protector should think necessary. 5°. All who professed faith in God by Jesus Christ were to be protected in the exercise of their religion, with the exception of prelatists, papists, and those who taught licentiousness under the pretence of religion. 6°. The lord-general Cromwell was named lord-protector; his successors were to be chosen by the council. The first parliament was to assemble on the third of the following December; and till that time the lord-protector was vested with power to raise the monies necessary for the public service, and to make ordinances which should have the force of law, till orders were taken in parliament respecting the same.

At the conclusion, Cromwell, raising his right hand and his eyes to heaven with great solemnity, swore to observe, and cause to be observed, all the articles of the instrument; and Lambert, falling on his knees, offered to the protector a civic sword in the scabbard, which he accepted, laying aside his own, to denote that he meant to govern by constitutional, and not by military, authority. He then seated himself in the chair, put on

his hat while the rest stood uncovered, received the seal from the commissioners, the sword from the lord mayor, delivered them back again to the same individuals, and, having exercised these acts of sovereign authority, returned in procession to his carriage, and repaired in state to Whitehall. The same day the establishment of the government by a lord protector and triennial parliaments, and the acceptance of the protectorship by the lord-general, were announced to the public by proclamation, with all the ceremonies hitherto used on the accession of a new monarch *.

It cannot be supposed that this elevation of Cromwell to the supreme power was viewed with satisfaction by any other class of men than his brethren in arms, who considered his greatness as their own work, and expected from his gratitude their merited reward. But the nation was surfeited with revolutions. Men had suffered so severely from the ravages of war and the oppression of the military; they had seen so many instances of punishment incurred by resistance to the actual possessors of power; they were divided and subdivided into so many parties, jealous and hateful of each other; that they readily acquiesced in any change which promised the return of tranquillity in the place of solicitude, danger, and misery. The protector, however, did not neglect the means of consolidating his own authority. Availing himself of the powers intrusted to him by the "instrument," he gave the chief commands in the army to men in whom he could confide; quartered the troops in the manner best calculated to put down any insurrection; and, among the multitude of ordinances which he published, was careful to repeal the acts enforcing the engagement; to forbid all meetings on race-courses or at cock-pits, to explain what offences should be deemed treason against his government; and to establish a high

* Whitelock, 571—8. Thurloe, i. 639, 641. Ludlow, ii. 40. The alteration in the representation, which had been proposed in the long parliament, was generally considered an improvement. Clar. Hist. iii. 495.

court of justice for the trial of those who might be charged with such offences.

He could not, however, be ignorant that, even among the former companions of his fortunes, the men who had fought and bled by his side, there were several who, much as they revered the general, looked on the protector with the most cordial abhorrence. They were
 1654. stubborn unbending republicans, partly from political, partly from religious, principle. To them he affected to unbosom himself without reserve. He was still, he protested, the same humble individual whom they had formerly known him. Had he consulted his own feelings, "he would rather have taken the staff of a shepherd" than the dignity of protector. Necessity had imposed the office upon him; he had sacrificed his own happiness to preserve his countrymen from anarchy and ruin; and, as he now bore the burthen with reluctance, he would lay it down with joy, the moment he could do so with safety to the nation. But this language made few proselytes. They had too often already been the dupes of his hypocrisy, the victims of their own credulity; they scrupled not, both in public companies, and from the pulpit, to pronounce him "a dissembling perjured villain;" and they openly threatened him with "a worse fate than had befallen the last tyrant." If it was necessary to silence these declaimers, it was also dangerous to treat them with severity. He proceeded with caution, and modified his displeasure by circumstances. Some he removed from their commissions in the army and their ministry in the church; others he did not permit to go at large, till they had given security for their subsequent behaviour; and those who proved less tractable, or appeared more dangerous, he incarcerated in the Tower. Among the last were Harrison, formerly his fellow-labourer in the dissolution of the long parliament, now his most implacable enemy; and
 Feb. Feakes and Powell, the anabaptist preachers, who had
 30. braved his resentment during the last parliament.

Symson, their colleague, shared their imprisonment, but July
procured his liberty by submission *. 26.

To the royalists, as he feared them less, he showed less forbearance. Charles, who still resided in Paris, maintained a constant correspondence with the friends of his family in England, for the twofold purpose of preserving a party ready to take advantage of any revolution in his favour, and of deriving from their loyalty advances of money for his own support and that of his followers. Among the agents whom he employed, were men who betrayed his secrets, or pretended secrets, to his enemies †, or who seduced his adherents into imaginary plots, that by the discovery they might earn the gratitude of the protector. Of the latter class was an individual named Henshaw, who had repaired to Paris, and been refused what he solicited, admission to the royal presence. On his return, he detailed to certain royalists a plan by which the protector might be assassinated on his way to Hampton-court, the guards at Whitehall overpowered, the town surprised, and the royal exile proclaimed. Men were found to listen to his suggestions; and when a sufficient number was en-
tangled in the toil, forty were apprehended and ex-^{May}
aminated. Of these, many consented to give evidence; 24.
three were selected for trial before the high court of justice. Fox, one of the three, pleaded guilty, and thus, June
by giving countenance to the evidence of Henshaw, 30.
deserved and obtained his pardon. Vowell, a school-^{July}
master, and Gerard, a young gentleman two-and-twenty 6.
years of age, received judgment of death. The first 10.
suffered on the gallows, glorying that he died a martyr in the cause of royalty. Gerard, before he was beheaded, protested in the strongest terms that, though he had

* Thurloe, i. 641, 2; ii. 67, 8. Whitelock, 580. 2. 596. Ludlow, ii. 47.

† Clarendon informs Nicholas (June 19), that in reality no one secret had been betrayed or discovered. Clar. Pap. iii. 247. But this is doubtful: for Willis, one of the committee called 'the sealed knot,' who was imprisoned, but discharged in September (Perfect Account, No. 194), proved afterwards a traitor.

heard, he had never approved of the design*. In the depositions it was pretended that Charles had given his consent to the assassination of the protector. Though Cromwell professed to disbelieve the charge, yet as a measure of self-defence he threatened the exiled prince that, if any such attempt were encouraged, he should have recourse to retaliation, and, at the same time, intimated that it would be no difficult matter for him to execute his threat†.

On the same scaffold, but an hour later, perished a foreign nobleman, only nineteen years old, Don Pantaleon Sa, brother to Guimaraes the Portuguese ambassador. Six months before, he and Gerard, whose execution we have just noticed, had quarrelled in the New Exchange. Pantaleon, the next evening, repaired to the same place with a body of armed followers; a fray ensued; Greenway, a person unconcerned in the dispute, was killed by accident or mistake; and the Portuguese fled to the house of the ambassador, whence they were conducted to prison by the military. The people, taking up the affair as a national quarrel, loudly demanded the blood of the reputed murderers. On behalf of Pantaleon it was argued: 1°. that he was an ambassador, and therefore answerable to no one but his master: 2°. that he was a person attached to the embassy, and therefore covered by the privilege of his principal. But the instrument, which he produced in proof

* State Trials, v. 517—540. Thurloe, ii. 416, 446, 7. Whitelock, 591, 2, 3. Henshaw was not produced on the trial. It was pretended that he had escaped. But we learn from Thurloe that he was safe in the Tower, and so Gerard suspected in his speech on the scaffold.

† Cromwell did not give credit to the plots for murdering him. Thurloe, ii. 512, 533. Clarendon writes thus on the subject to his friend Nicholas: "I do assure you upon my credit I do not know, and upon my confidence, the king does not, of any such design. Many wild, foolish persons propose wild things to the king, which he civilly discountenances, and then they and their friends brag what they hear, or could do; and, no doubt, in some such noble rage that hath now fallen out which they talk so much of at London, and by which many honest men are in prison, of which whole matter the king knows no more than secretary Nicholas doth." *Clar. Pap.* iii. 247. See, however, the account of Sexby's plot in the next chapter.

of the first allegation, was no more than a written promise that he should succeed his brother in office; and in reply to the second, it was maintained that the privilege of an ambassador, whatever it might be, was personal, and did not extend to the individuals in his suite.^{1651.} At the bar, after several refusals, he was induced by the threat of the *peine forte et dure* to plead not guilty;^{July 5.} and his demand of counsel, on account of his ignorance of English law, was rejected on the ground that the court was "of counsel equal to the prisoner and the "commonwealth." He was found guilty, and condemned, with four of his associates. To three of these the protector granted a pardon; but no entreaties of the several ambassadors could prevail in favour of Pantaleon. He was sacrificed, if we believe one of them, to^{10.} the clamour of the people, whose feelings were so excited, that when his head fell on the scaffold, the spectators proclaimed their joy by the most savage yells of exultation*. It was the very day on which his brother, perhaps to propitiate the protector, had signed the treaty between the two nations.

These executions had been preceded by one of a very different description. Colonel Worsley had apprehended in his bed a catholic clergyman, of the name of Southworth, who, thirty-seven years before, had been convicted at Lancaster, and sent into banishment. The old man (he had passed his seventy-second year), at his arraignment, pleaded that he had taken orders in the church of Rome, but was innocent of any treason. The recorder advised him to withdraw his plea, and gave him four hours for consideration. But Southworth still owned that he was a catholic and in orders; judgment of death was pronounced; and the protector, notwith-

* See in State Trials, v. 461—518, a numerous collection of authorities and opinions respecting this case. Also *ibid.* 536 That Pantaleon and his friends were armed, cannot be denied; was it for revenge? So it would appear from the relation in *Somers' Tracts*, iii. 65, *Whitelock*, 569, and State Trials, v. 482. Was it solely for defence? Such is the evidence of Metham (*Thurloe*, ii. 222), and the assertion of Pantaleon at his death. *Whitelock*, ii. 595.

standing the urgent solicitations of the French and Spanish ambassadors, resolved that he should suffer. It was not that Cromwell approved of sanguinary punishments in matters of religion, but that he had no objection to purchase the good will of the godly by shedding the blood of a priest. Whether it were through curiosity or respect, two hundred carriages and a crowd of horsemen, followed the hurdle on which Southworth was drawn to the place of execution. On the scaffold, he spoke with satisfaction of the manner of his death, but at the same time pointed out the inconsistency of the men who pretended to have taken up arms for liberty of conscience, and yet shed the blood of those who differed from them in religious opinions. He suffered the usual punishment of traitors*.

The intelligence of the late revolution had been received by the military in Ireland and Scotland with open murmurs on the part of some, and a suspicious acquiescence on that of others. In Ireland, Fleetwood knew not how to reconcile the conduct of his father-in-law with his own principles, and expressed a wish to resign the government of the island; Ludlow and Jones, both stanch republicans, looked on the protector as a hypocrite and an apostate, and though the latter was more cautious in his language, the former openly refused to act as civil commissioner under the new constitution; and in most of the garrisons several of the principal officers made no secret of their dissatisfaction: in one case they even drew up a remonstrance against "the government by a single person." But Cromwell averted the storm which threatened him, by his prudence and firmness. He sent his son Henry on a visit to Fleetwood, that he might learn the true disposition of the military; the more formidable of his opponents were silently withdrawn to England; and several of the others found themselves suddenly but successively deprived of their

* Thurloe, ii. 406. Whitelock, 592. Challoner, ii. 354. Knaresborough's Collections, MS.

commands. In most cases interest proved more powerful than principle: and it was observed that out of the numbers, who at first crowded to the anabaptist conventicle at Dublin as a profession of their political creed, almost all who had anything to lose, gradually abandoned it for the more courtly places of worship. Even the anabaptists themselves learned to believe that the ambition of a private individual could not defeat the designs of the Lord, and that it was better for men to retain their situations under the protector, than, by abandoning them, to deprive themselves of the means of promoting the service of God, and of hastening the reign of Christ upon earth*.

In Scotland the spirit of disaffection equally prevailed among the superior officers; but their attention was averted from political feuds by military operations. In the preceding years, under the appearance of general tranquillity, the embers of war had continued to smoulder in the highlands: they burst into a flame on the departure of Monk to take the command of the English fleet. To Charles in France, and his partisans in Scotland, it seemed a favourable moment; the earls of Glencairn and Balcarras were successively joined by Angus, Montrose, Athol, Seaforth, Kenmure, and Lorne, the son of Argyle; and Wogan, an enterprising officer, landing at Dover, raised a troop of loyalists in London, and, traversing England under the colours of the commonwealth, reached in safety the quarters of his Scottish friends. The number of the royalists amounted to some thousands: the nature of the country, and the affections of the natives were in their favour; and their spirits were supported by the repeated, but fallacious, intelligence of the speedy arrival of Charles himself at the head of a considerable force. A petty, but most destructive, warfare ensued. Robert Lilburne, the English commander, ravaged the lands of all who favoured the royalists; the royalists, those of all who remained neuter, or aided

* Thurloe, ii. 149, 150. 162. 214.

their enemies. But in a short time personal feuds distracted the councils of the insurgents; and, as the right of Glencairn to the chief command was disputed, Middleton arrived with a royal commission, which all were required to obey. To Middleton the protector opposed Monk. It was the policy of the former to avoid a battle, and exhaust the strength of his adversary by marches and counter-marches in a mountainous country, without the convenience of roads or quarters: but in an attempt to elude his pursuer, Middleton was surprised at Loch Garry by the force under Morgan; his men, embarrassed in the defile, were slain or made prisoners; and his loss taught the royalist leaders to deserve mercy by the promptitude of their submission. The earl of Tullibardine set the example; Glencairn followed; they were imitated by their associates; and the lenity of Monk contributed as much as the fortune of war to the total suppression of the insurgents*. Cromwell, however, did not wait for the issue of the contest. Before Monk had joined the army, he published three ordinances, by which, of his supreme authority, he incorporated Scotland with England, absolved the natives from their allegiance to Charles Stuart, abolished the kingly office and the Scottish parliament, with all tenures and superiorities importing servitude and vassalage, erected courts-baron to supply the place of the jurisdictions which he had taken away, and granted a free pardon to the nation, with the exception of numerous individuals whom he subjected to different degrees of punishment. Thus the whole frame of the Scottish constitution was subverted: yet no one ventured to remonstrate or oppose. The spirit of the nation had been broken. The experience of the past, and the presence of the military, convinced the people that resistance was fruitless: of the nobility, many languished within the

* See the ratification of the surrenders of Tullibardine, Glencairn, Heriot, Forrester, Kenmure, Montrose, and Seaforth, dated at different times between Aug. 24, and Jan. 10, in the Council Book, 1653, Feb. 7.

walls of their prisons in England, and the others were ground to the dust by the demands of their creditors or the exactions of the sequestrators; and even the kirk, which had so often bearded kings on their thrones, was taught to feel that its authority, however it might boast of its celestial origin, was no match for the earthly power of the English commonwealth*. Soon after Cromwell had called his little parliament the general assembly of the kirk met at the usual place in Edinburgh; and Dickson, the moderator, had begun his prayer, when colonel Cotterel, leaving two troops of horse and two companies of foot at the door, entered the house, and inquired by what authority they sate there; Was it by authority of the parliament, or of the commander of the forces, or of the English judges in Scotland? The moderator meekly but firmly replied, that they formed a spiritual court, established by God, recognised by law, and supported by the solemn league and covenant. But this was a language which the soldier did not, or would not, understand. Mounting a bench, he declared that there existed no authority in Scotland which was not derived from the parliament of England: that it was his duty to put down every illegal assumption of power; and that they must immediately depart or suffer themselves to be dragged out by the military under his command. No one offered to resist: a protestation was hastily entered on the minutes; and the whole body was marched between two files of soldiers through the streets, to the surprise, and grief, and horror of the inhabitants. At the distance of a mile from the city Cotterel discharged them with an admonition, that, if any of them were found in the capital after eight o'clock on the following morning, or should subsequently presume to meet in greater numbers than three persons at one time, they would be punished with imprisonment, as disturbers of the public peace. "Thus," exclaims Baillie,

* Scobell, 289. 293—5. Whitelock, 563. 597. 9. Burnet, i. 58—61 Baillie, ii. 377 381. Milton, State Pap. 130. 131.

"our general assembly, the glory and strength of our church upon earth, is by your soldiery crushed and trode under foot. For this our hearts are sad, and our eyes run down with water *."

Yet after this they were permitted to meet in synods and presbyteries, an indulgence which they owed not to the moderation of their adversaries, but to the policy of Vane, who argued that it was better to furnish them with the opportunity of quarrelling among themselves, than, by establishing a compulsory tranquillity, allow them to combine against the commonwealth. For the ministers were still divided into resolutioners and protestors, and the virulence of this religious feud appeared to augment in proportion, as the parties were deprived of real power. The resolutioners were the more numerous, and enjoyed a greater share of popular favour: but the protestors were enemies of Charles Stuart, and therefore sure of the protection of the government. Hence it happened that in every struggle for the possession of churches—and such struggles continually happened between the two parties—the protestors were invariably supported against the voice of the people by the swords of the military †.

By foreign powers the recent elevation of Cromwell was viewed without surprise. They were aware of his ambition, and had anticipated his success. All who had reason to hope from his friendship or to fear from his enmity, offered their congratulations, and ambassadors and envoys from most of the princes of Europe crowded to the court of the protector. He received them with all the state of a sovereign. From his apartments in the

* Baillie, ii. 370.

† Id. 371—G. 360. Burnet, i. 62. Whilst Baillie weeps over the state of the kirk, Kirkton exults at the progress of the gospel. "I verily believe," he writes, "there were more souls converted unto Christ in that short period of time than in any season since the Reformation. Ministers were painful, people were diligent. At their solemn communions many congregations met in great multitudes, some dozen of ministers used to preach, and the people continued as it were in a sort of trance (so serious were they in spiritual exercises) for three days at least." Kirkton, 54, 55.

Cockpit he had removed with his family to those which in former times had been appropriated to the king: they were newly furnished in the most costly and magnificent style; and in the banqueting-room was placed a chair of state on a platform, raised by three steps above the floor. Here the protector stood to receive the ambassadors. They were instructed to make three reverences, one at the entrance, the second in the midway, and the third at the lower step, to each of which Cromwell answered by a slight inclination of the head. When they had delivered their speeches, and received the reply of the protector, the same ceremonial was repeated at their departure. On one occasion he was requested to permit the gentlemen attached to the embassy to kiss his hand; but he advanced to the upper step, bowed to each in succession, waved his hand, and withdrew. On the conclusion of peace with the States, the ambassadors received from him an invitation to dinner. He sat alone on one side of the table, they, with some lords of the council on the other. Their ladies were entertained by the lady protectress. After dinner both parties joined in the drawing-room: pieces of music were performed, and a psalm was sung, a copy of which Cromwell gave to the ambassadors, observing that it was the best paper that had ever passed between them. The entertainment concluded with a walk in the gallery*.

This treaty with the united provinces was the first which engaged the attention of the protector, and was not concluded till repeated victories had proved the superiority of the English navy, and a protracted negotiation had exhausted the patience of the States. In the preceding month of May the hostile fleets, each consisting of about one hundred sail, had put to sea, the English commanded by Monk, Dean, Penn, and Lawson; the Dutch by Van Tromp, De Ruyter, De

* Clarendon Papers, iii. 240. Thurloe, i. 50. 69. 154. 237. It appears from the Council Book that the quarterly expense of the protector's family amounted to 35,000*l.* 1655, March 14.

1653. Witte, and Evertsens. While Monk insulted the coast
 June of Holland, Van Tromp cannonaded the town of Dover.
 2. They afterwards met each other off the North Foreland, and the action continued the whole day. The enemy lost two sail; on the part of the English, Dean was killed by a chain shot. He fell by the side of Monk, who instantly spread his cloak over the dead body, that the men might not be alarmed at the fate of their commander.

3. The battle was renewed the next morning. Though Blake, with eighteen sail, had joined the English in the night, Van Tromp, fought with the most determined courage; but a panic pervaded his fleet; his orders were disobeyed; several captains fled from the superior fire of the enemy; and, ultimately, the Dutch sought shelter within the Wiclings, and along the shallow coast of Zeeland. They lost one-and-twenty sail: thirteen hundred men were made prisoners, and the number of killed and wounded was great in proportion*.

Cromwell received the news of this victory with transports of joy. Though he could claim no share in the merit (for the fleet owed its success to the exertions of the government which he had overturned), he was aware that it would shed a lustre over his own administration; and the people were publicly called upon to return thanks to the Almighty for so signal a favour. It was observed that on this occasion he did not command but invite; and the distinction was hailed by his admirers as a proof of the humility and singlemindedness of the lord-general†.

To the States, the defeat of their fleet proved a subject of the deepest regret. It was not the loss of men and ships that they deplored: such loss might soon be repaired; but it degraded them in the eyes of Europe by placing them in the posture of suppliants deprecating the

* Whitelock, 557. Ludlow, ii. 27. Heath, 344. Le Clerc, i. 333. Basnage, i. 307. It appears from the letters in Thurloe, that the English fought at the distance of half cannon shot, till the enemy fell into confusion, and began to fly, when their disabled ships were surrounded, and captured by the English frigates. Thurloe, i. 269, 270. 3. 7, 8.

† Whitelock, 558.

anger of a victorious enemy. In consequence of the importunate entreaties of the merchants, they had previously appointed ambassadors to make proposals of peace to the new government; but these ministers did not quit the coast of Holland till after the battle; and their arrival in England at this particular moment was universally attributed to a conviction of inferiority arising from the late defeat. They were introduced with due honour to his excellency and the council; but found them unwilling to recede from the high demands formerly made by the parliament. As to the claim of indemnification for the past, the ambassadors maintained that, if a balance were struck of their respective losses, the Dutch would be found the principal sufferers; and, to the demand of security for the future, they replied, that it might be obtained by the completion of that treaty, which had been interrupted by the sudden departure of St. John and Strickland from the Hague. The obstinacy of the council induced the ambassadors to demand passports for their return; but means were found to awaken in them new hopes, and to amuse them with new proposals. In the conferences, Cromwell generally bore the principal part. Sometimes he chided the ambassadors in no very courteous terms: sometimes he described with tears the misery occasioned by the war; but he was always careful to wrap up his meaning in such obscurity, that a full month elapsed before the Dutch could distinctly ascertain his real demands. They were then informed, that England would waive the claim of pecuniary compensation, provided Van Tromp were removed for a while from the command of their fleet, as an acknowledgment that he was the aggressor: but that, on the other hand, it was expected that the States should consent to the incorporation of the two countries into one great maritime power, to be equally under the same government, consisting of individuals chosen out of both. This was a subject on which the ambassadors had no power to treat; and it was agreed that two of their number

May
26.June
22.July
19.

26.

should repair to the Hague for additional instructions*.

July
31.

But, a few days before their departure, another battle had been fought at sea, and another victory won by the English. For eight weeks Monk had blockaded the entrance of the Texel; but Van Tromp, the moment his fleet was repaired, put to sea, and sought to redeem the honour of the Belgic flag. Each admiral commanded about one hundred sail; and as long as Tromp lived, the victory hung in suspense; he had burst through the English line, and returned to his first station, when he fell by a musket shot; then the Dutch began to waver; in a short time they fled, and the pursuit continued till midnight. That which distinguished this from every preceding action was the order issued by Monk to make no prizes, but to sink or destroy the ships of the enemy. Hence the only trophies of victory were the prisoners, men who had been picked up after they had thrown themselves into the water, or had escaped in boats from the wrecks. Of these, more than a thousand were brought to England, a sufficient proof that, if the loss of the enemy did not amount to twenty sail, as stated by Monk, it exceeded nine small vessels, the utmost allowed by the States†.

During the absence of the other ambassadors, Cromwell sought several private interviews with the third who remained, Beverning, the deputy from the States of Holland; and the moderation with which he spoke of the questions in dispute, joined to the tears with which he lamented the enmity of two nations so similar in their political and religious principles, convinced the Dutchman that an accommodation might be easily and promptly attained. At his desire his colleagues returned; the conferences were resumed; the most cheering hopes were indulged; when suddenly the English commis-

(Oct.
19.
Nov
24.

* See on this subject a multitude of original papers in Thurloe, i. 268. 284. 302. 8. 315. 6. 340. 362. 370. 2. 381. 2. 394. 401.

† Le' Clerc, i. 335. Burnage, i. 313. Several Proceedings, No. 197. Perfect Diurnal, No. 187. Thurloe, i. 392. 420. 448.

sioners presented seven-and-twenty articles, conceived in a tone of insulting superiority, and demanding sacrifices painful and degrading. A few days later the parliament was dissolved; and, as it was evident that the interests of the new protector required a peace, the ambassadors began to affect indifference on the subject, and demanded passports to depart. Cromwell, in his turn, thought proper to yield; some claims were abandoned; others were modified, and every question was adjusted with the exception of this, whether the king of Denmark, the ally of the Dutch, who, to gratify them, had seized and confiscated twenty-three English merchantmen in the Baltic*, should be comprehended or not in the treaty. The ambassadors were at Gravesend on their way home, 1651. when Cromwell proposed a new expedient, which they Jan. 6. approved. They proceeded, however, to Holland; obtained the approbation of the several States, and returned to put an end to the treaty. But here again, to their Feb. 28. surprise, new obstacles arose. Beverning had incautiously boasted of his dexterity; he had, so he pretended, compelled the protector to lower his demands by threatening to break off the negotiation; and Cromwell now turned the tables upon him by playing a similar game. At the same time that he rose in some of his demands, he equipped a fleet of one hundred sail, and ordered several regiments to embark. The ambassadors, aware April 5. that the States had made no provision to oppose this formidable armament, reluctantly acquiesced; and on the 5th of April, after a negotiation of ten months, the peace was definitively signed †.

By this treaty the English cabinet silently abandoned those lofty pretensions which it had originally put forth. It made no mention of indemnity for the past, of security

* Basnage, i. 289.

† Thunloe, i. 570. 607. 616. 624. 643. 650; ii. 9. 19. 28. 36. 74. 5. 123. 137. 195. 197. Le Clerc, i. 340—3. During the whole negotiation, it appears from these papers that the despatches of, and to, the ambassadors were opened, and copies of almost all the resolutions taken by the States procured, by the council of state. See particularly ii. 99. 153.

for the future, of the incorporation of the two states, of the claim of search, of the tenth herring, or of the exclusion of the prince of Orange from the office of stadtholder. To these humiliating conditions the pride of the States had refused to submit; and Cromwell was content to accept two other articles, which, while they appeared equally to affect the two nations, were in reality directed against the Stuart family and its adherents. It was stipulated that neither commonwealth should harbour or aid the enemies, rebels, or exiles, of the other: but that either, being previously required, should order such enemies, rebels, or exiles, to leave its territory, under the penalty of death, before the expiration of twenty-eight days. To the demand, that the same respect which had been paid to the flag of the king should be paid to that of the commonwealth, the Dutch did not object. The only questions which latterly retarded the conclusion of the treaty, related to the compensation to be made to the merchants for the depredations on their trade in the East Indies before, and the detention of their ships by the king of Denmark during, the war. It was, however, agreed that arbitrators should be chosen out of both nations, and that each government should be bound by their award*. These determined that the island of Polorone should be restored, and damages to the amount of 170,000*l.* should be paid to the English East India Company; that 3,615*l.* should be distributed among the heirs of those who suffered at Amboyna; and that a compensation of 97,973*l.* should be made to the traders to the Baltic†.

Aug.
30.

* Dumont, v. par. ii. 74.

† See the award, *ibid.* 85. 88. By Sagredo, the Venetian ambassador, who resided during the war at Amsterdam, we are told that the Dutch acknowledged the loss of 1,129 men of war and merchantmen; and that the expense of this war exceeded that of their twenty years' hostilities with Spain. He states that their inferiority arose from three causes; that the English ships were of greater bulk; the English cannon were of brass, and of a larger caliber; and the number of prizes made by the English at the commencement crippled the maritime resources of their enemies. *Relazione*, MS. Le Clerc states that the Dutch employed 100,000 men in the herring fishery, *l.* 321.

On one subject, in the protector's estimation of considerable importance, he was partially successful. Possessed of the supreme power himself, he considered Charles as a personal rival, and made it his policy to strip the exiled king of all hope of foreign support. From the prince of Orange, so nearly allied to the royal family, Cromwell had little to fear during his minority; and, to render him incapable of benefiting the royal cause in his more mature age, he attempted to exclude him by the treaty from succeeding to those high offices which might almost be considered as hereditary in his family. The determined refusal of the States had induced him to withdraw the demand; but he intrigued, through the agency of Beverning, with the leaders of the Louvestein party *, and obtained a secret article, by which the States of Holland and West Friesland promised never to elect the prince of Orange for their stadtholder, nor suffer him to have the chief command of the army and navy. But the secret transpired; the other States highly resented this clandestine negotiation; complaints and remonstrances were answered by apologies and vindications; an open schism was declared between the provinces, and every day added to the exasperation of the two parties. On the whole, however, the quarrel was favourable to the pretensions of the young prince, from the dislike with which the people viewed the interference of a foreign potentate, or rather, as they termed him, of an usurper, in the internal arrangements of the republic †.

The war in which the rival crowns of France and Spain 1653. had so long been engaged, induced both Louis and Philip to pay their court to the new protector. Alonzo de Cardenas, the Spanish ambassador, had the advantage of being on the spot. He waited on Cromwell to

* The leaders of the republicans were so called, because they had been confined in the castle of Louvestein, whence they were discharged on the death of the late prince of Orange.

† Dumont, 79. Thurot, vol. ii. iii. Vaughan, i. 9. 11. La Deduction, or Defence of the States of Holland, in *Le Clerc*, i. 345, and *Basnage*, i. 342.

present to him the congratulations of his sovereign, and to offer to him the support of the Spanish monarch, if he should feel desirous to rise a step higher, and assume the style and office of king. To so flattering a message, a most courteous answer was returned; and the ambassador proceeded to propose an alliance between the two powers, of which the great object should be to confine within reasonable bounds the ambition of France, which, for so many years, had disturbed the tranquillity of Europe. This was the sole advantage to which Philip looked: to Cromwell the benefit would be, that France might be compelled to refuse aid and harbour to Charles Stuart and his followers: and to contract the obligation of maintaining jointly with Spain the protector in the government of the three kingdoms. Cromwell listened, but gave no answer: he appointed commissioners to discuss the proposal, but forbade them to make any promise, or to hold out any hope of his acquiescence. When Don Alonzo communicated to them the draft of a treaty which he had all but concluded with the deputies appointed by the late parliament, he was asked whether the king of Spain would consent to a free trade to the West Indies, would omit the clause respecting the inquisition, reduce to an equality the duties on foreign merchandise, and give to the English merchant the pre-emption of the Spanish wool. He replied, that his master would as soon lose his eyes as suffer the interference of any foreign power on the two first questions: as to the others, satisfactory adjustments might easily be made. This was sufficient for the present. Cromwell affected to consider the treaty at an end; though the real fact was, that he meditated a very different project in his own mind, and was careful not to be precluded by premature arrangements*.

The French ambassador, though he commenced his

* Thurloe, i. 705, 759, 760. Dumont, v. part ii p. 106. The clause respecting the inquisition was one which secured the English traders from being molested by that court, on condition that they gave no scandal; *modo ne dent scandalum*. This condition Cromwell wished to be withdrawn.

negotiation under less propitious auspices, had the address or good fortune to conduct it to a more favourable issue. That the royal family of France, from its relationship to that of England, was ill-disposed towards the commonwealth, there could be no doubt: but its inclinations were controlled by the internal feuds which distracted, and the external war which demanded, the attention of the government. The first proof of hostility was supposed to be given before the death of the king, Oct. 1648. by a royal *arrêt* prohibiting the importation into France of English woollens and silks²¹; and this was afterwards met by an order of parliament equally prohibiting the importation into England of French woollens, silks, and wines. Aug. 1649. 23. The alleged infraction of these commercial regulations led to the arrest and subsequent condemnation of vessels belonging to both nations: each government issued letters-of marque to the sufferers among its subjects; and the naval commanders received instructions to seek that compensation for the individuals aggrieved which the latter were unable to obtain of themselves*. Thus the maritime trade of both countries was exposed to the depredations of private and national cruisers, while their respective governments were considered as remaining at peace. But in 1651, when the cardinal Mazarin had been banished from France, it was resolved by Cromwell, who had recently won the battle of Worcester, to tempt the fidelity of d'Estrades, the governor of Dunkirk and a dependant on the exiled minister. An officer of the lord-general's regiment made to d'Estrades the offer of a considerable sum, on condition that he would deliver the fortress into the hands of the English; or of the same sum, with the aid of a military force to the cardinal, if he preferred to treat in the name

* See the instructions to Popham "In respect that many of the English so spoiled are not able to undergo the charge of setting forth ships of their own to make seizures by such letters-of marque: . . . you shall, as in the way and execution of justice, seize, arrest, &c. such ships and vessels of the said French king or any of his subjects, as you shall think fit. . . and the same keep in your custody, till the parliament declare their further resolution concerning the same." Thurloe, i. 144.

- of his patron. The governor complained of the insult offered to his honour; but intimated that, if the English wished to purchase Dunkirk, the proposal might be addressed to his sovereign. The hint was taken, and the offer was made, and debated in the royal council at Poitiers. The cardinal, who returned to France at the very time, urged its acceptance*; but the queen-mother and the other counsellors were so unwilling to give the English a footing in France, that he acquiesced in their opinion, and a refusal was returned. Cromwell did not fail to resent the disappointment. By the facility which he afforded to the Spanish levies in Ireland, their army in Flanders was enabled to reduce Gravelines, and, soon afterwards, to invest Dunkirk. That fortress was on the point of capitulating when a French flotilla of seven sail, carrying from twenty to thirty guns each, and laden with stores and provisions, was descried stealing along the shore to its relief. Blake, who had received secret orders from the council, gave chase; the whole squadron was captured, and the next day Dunkirk opened its gates†. By the French court this action was pronounced an unprovoked and unjustifiable injury: but Mazarin coolly calculated the probable consequences of a war, and, after some time, sent over Bordeaux, under the pretence of claiming the captured ships, but in reality to oppose the intrigues of the agents of Spain, of the prince of Condé, and of the city of Bordeaux, who laboured to obtain the support of the commonwealth in opposition to the French court‡.
1653. Bordeaux had been appointed ambassador to the parliament: after the inauguration of Cromwell, it became necessary to appoint him ambassador to his highness the protector. But in what style was Louis to address

* Here Louis XIV., to whom we are indebted for this anecdote, observes, that it was the cardinal's maxim de pouvoir, à quelque prix qu'il fût, aux affaires présentes, persuadé que les maux à venir, trouveroient leur remède dans l'avenir même. (*Œuvres de Louis XIV.* i. 170.)

† *Ibid.* 168—170. See also Henth, 325 Thurloe, i. 214 Whitelock, 543.

‡ *Journals*, 14 Dec. 1652 *Clar. Pap.* iii. 105. 123. 132. *Thurloe*, i. 436.

the usurper by letter? "Mon cousin" was offered and refused; "mon frere," which Cromwell sought, was offensive to the pride of the monarch; and, as a temperament between the two, "monsieur le protecteur" was given and accepted. Bordeaux proposed a treaty of amity, by which all letters-of-marque should be recalled, and the damages suffered by the merchants of the two nations be referred to foreign arbitrators. To thwart the efforts of his rival, Don Alonzo, abandoning his former project, brought forward the proposal of a new commercial treaty between England and Spain. Cromwell was in no haste to conclude with either. He was aware that the war between them was the true cause of these applications; that he held the balance in his hand, and that it was in his power at any moment to incline it in favour of either of the two crowns. His determination, indeed, had long been taken: but it was not his purpose to let it transpire; and when he was asked the object of the two great armaments preparing in the English ports, he refused to give any satisfactory explanation*.

In this state of the treaty, its further progress was for 1654. a while suspended by the meeting of the protector's Sept. first parliament. He had summoned it for the 3d of 3. September, his fortunate day, as he perhaps believed himself, as he certainly wished it to be believed by others. But the 3d happened in that year to fall on a Sunday; and, that the sabbath might not be profaned by the agitation of worldly business, he requested the members to meet him at sermon in Westminster-abbey on the following morning. At ten the procession set out from Whitehall. It was opened by two troops of life-guards; then rode some hundreds of gentlemen and

* Tharloe, i. 760; ii. 61 113. 228. 539. 587. An obstacle was opposed to the progress of the treaty by the conduct of De Baas, a dependent on Mazarin, and sent to aid Bordeaux with his advice. After some time, it was discovered that this man (whether by order of the minister, or at the solicitation of the royalists, is uncertain) was intriguing with the malecontents. Cromwell compelled him to return to France. Tharloe, ii. 309. 351. 412. 437.

officers, barcheaded, and in splendid apparel: immediately before the carriage walked the pages and lackeys of the protector in rich liveries, and on each side a captain of the guard; behind it came Claypole, master of the horse, leading a charger magnificently caparisoned, and Claypole was followed by the great officers of state and the members of the council. The personal appearance of the protector formed a striking contrast with the parade of the procession. He was dressed in a plain suit, after the fashion of a country gentleman, and was chiefly distinguished from his attendants by his superior simplicity, and the privilege of wearing his hat. After sermon, he placed himself in the chair of state in the painted chamber, while the members seated themselves, uncovered, on benches ranged along the walls. The protector then rose, took off his hat, and addressed them in a speech which lasted three hours. It was, after his usual style, verbose, involved, and obscure, sprinkled with quotations from Scripture to refresh the piety of the saints, and seasoned with an affectation of modesty to disarm the enmity of the republicans. He described the state of the nation at the close of the last parliament. It was agitated by the principles of the levellers, 'ending to reduce all to an equality; by the doctrines of the fifth-monarchy men, subversive of civil government; by religious theorists, the pretended champions of liberty of conscience, who condemned an established ministry as Babylonish and anticristian; and by swarms of jesuits, who had settled in England an episcopal jurisdiction to pervert the people. At the same time the naval war with Holland absorbed all the pecuniary resources, while a commercial war with France and Portugal cramped the industry, of the nation. He then bade them contrast this picture with the existing state of things. The taxes had been reduced; judges of talent and integrity had been placed upon the bench; the burthen of the commissioners of the great seal had been lightened by the removal of many descriptions of causes

from the court of chancery to the ordinary courts of law ; and “ a stop had been put to that heady way for every “ man, who pleased, to become a preacher.” The war with Holland had terminated in an advantageous peace ; treaties of commerce and amity had been concluded with Denmark and Sweden * ; a similar treaty, which would place the British trader beyond the reach of the inquisition, had been signed with Portugal, and another was in progress with the ambassador of the French monarch. Thus had the government brought the three nations by hasty strides towards the land of promise ; it was for the parliament to introduce them into it. The prospect was bright before them ; let them not look back to the onions and flesh-pots of Egypt. He spoke not as their lord, but their fellow-servant, a labourer with them in the same good work ; and would therefore detain them no longer, but desire them to repair to their own house, and to choose their speaker †.

To procure a parliament favourable to his designs, all the power of the government had been employed to influence the elections ; the returns had been examined by a committee of the council, under the pretext of seeing that the provisions of the “ instrument ” were observed ; and the consequence was that the lord Grey of Groby, major Wildman, and some other noted republicans, had been excluded by command of the protector. Still he found himself unable to mould the house to his wishes. By the court, Lenthall was put in nomination

* That with Sweden was negotiated by Whitelock, who had been sent on that mission against his will by the influence of Cromwell. The object was to detach Sweden from the interest of France, and engage it to maintain the liberty of trade in the Baltic, against Denmark, which was under the influence of Holland. It was concluded April 11. After the peace with Holland, the Danish monarch hastened to appease the protector ; the treaty which, though said by Cromwell to be already concluded, was not signed till eleven days afterwards, stipulated that the English traders should pay no other customs or dues than the Dutch. Thus they were enabled to import naval stores on the same terms, while before, on account of the heavy duties, they bought them at second hand of the Dutch. See the *Treaties in Dumont*, v. par. ii. p. 80. 92.

† Compare the official copy printed by G Sawbridge, 1654, with the Abstract by Whitelock (599, 600), and by Boideaux. Thurloe, ii. 318. See also *Journals*, Sep. 3, 4.

for the office of speaker ; by the opposition, Bradshaw, the boldest and most able of the opposite party. After a short debate, Lenthall was chosen, by the one, because they knew him to be a timid and a time-serving character ; by the other, because they thought that, to place him in the chair, was one step towards the revival of the long parliament, of which he had been speaker. But no one ventured to propose that he should be offered, according to ancient custom, to the acceptance of the supreme magistrate. This was thought to savour too much of royalty*.

It was not long before the relative strength of the parties was ascertained. After a sharp debate, in which it was repeatedly asked why the members of the long parliament then present should not resume the authority of which they had been illegally deprived by force, and by what right, but that of the sword, one man presumed to "command his commanders," the question was put, that the house resolve itself into a committee, to determine whether or not the government shall be in a single person and a parliament ; and, to the surprise and alarm of Cromwell, it was carried against the court by a majority of five voices†. The leaders of the opposition were Bradshaw, Hazlerig, and Scot, who now contended in the committee that the existing government emanated from an incompetent authority, and stood in opposition to the solemn determination of a legitimate parliament ; while the protectorists, with equal warmth, maintained that, since it had been approved by the people, the only real source of power, it could not be subject to revision by the representatives of the people. The debate lasted

* It appears from the Council Book (1654, Aug. 21), that, on that day, letters were despatched to the sheriffs, containing the names of the members who had been approved by the council, with orders to give them notice to attend. The letters to the more distant places were sent first, that they might all be received about the same time.

† Journals, Sept. 8. Many of those who voted in the majority did not object to the authority of the protector, but to the source from which it emanated,—a written instrument, the author of which was unknown. They wished it to be settled on him by act of parliament. Thurot, ii. 606.

several days, during which the commonwealth party Sept.
 gradually increased in number. That the executive 9.
 power might be profitably delegated to a single individual, was not disputed; but it was contended that, of right, the legislative authority belonged exclusively to the parliament. The officers and courtiers, finding that 11.
 the sense of the house was against them, dropped the question of right, and fled to that of expediency: in the existing circumstances, the public safety required a check on the otherwise unbounded power of parliament; that check could be no other than a co ordinate authority, possessing a negative voice; and that authority was the protector, who had been pointed out to them by Providence, acknowledged by the people in their addresses, and confirmed by the conditions expressed in the indentures of the members. It was replied, that the inconvenience of such a check had induced the nation to abolish the kingly government; that the addresses of the people expressed their joy in their deliverance from the incapacity of the little parliament, not their approbation of the new government, that Providence often permits what it disapproves; and that the indentures were an artifice of the court, which could not have force to bind the supreme power. To reconcile the disputants, a compromise between the parties had been planned; but Cromwell would not suffer the experiment to be tried*. Having ordered Harrison, whose partisans were collecting signatures to a petition, to be taken into 12
 custody, he despatched three regiments to occupy the principal posts in the city, and commanded the attendance of the house in the painted chamber. There, laying aside that tone of modesty which he had hitherto assumed, he frankly told the members that his calling was from God his testimony from the people; and that no one but God and the people should ever take his office from him. It was not of his seeking; God knew that it was his utmost ambition to lead the life of a

* See introduction to Burton's Diary, xxiv—xxvi.

country gentleman; but imperious circumstances had imposed it upon him. The long parliament brought their dissolution upon themselves by despotism, the little parliament by imbecility *. On each occasion he found himself invested with absolute power over the military, and, through the military, over the three nations. But on each occasion he was anxious to part with that power; and if, at last, he had acquiesced in the instrument of government, it was because it made the parliament a check on the protector, and the protector a check on the parliament. That he did not bring himself into his present situation, he had God for a witness above, his conscience for a witness within, and a cloud of witnesses without: he had the persons who attended when he took the oath of fidelity to "the instrument;" the officers of the army in the three nations, who testified their approbation by their signatures; the city of London, which feasted him; the counties, cities, and boroughs, that had sent him addresses; the judges, magistrates, and sheriffs, who acted by his commission; and the very men who now stood before him, for they came there in obedience to his writ, and under the express condition that "the persons so chosen should not have power to change the government as settled in one single person and the parliament." He would, therefore, have them to know, that four things were

* It is remarkable that, in noticing the despotism of the long parliament, he makes mention of the very same thing, which his enemy Lillburne urged against it: "by taking the judgment, both in capital and criminal things, to themselves, who in former times were not known to exercise such a judicature." He boldly maintains that they meant to perpetuate themselves by filling up vacancies as they occurred, and had made several applications to him to obtain his consent. He adds, "Poor men, under this arbitrary power, were driven like flocks of sheep by 40 in a morning, to the confiscation of goods and estates, without any man being able to give a reason that two of them had deserved to forfeit a shilling. I tell you the truth; and my soul, and many persons whose faces I see in this place, were exceedingly grieved at these things, and knew not which way to help it, but by their mournings, and giving their negatives when the occasion served." I notice this passage, because since the discovery of the sequestrators' papers it has been thought from the regularity with which their books were kept, and the seeming equity of their proceedings, as they are entered, that little injustice was done.

fundamental; 1°. that the supreme power should be vested in a single person and parliament; 2°. that the parliament should be successive and not perpetual; 3°. that neither protector nor parliament alone should possess the uncontrolled command of the military force; and 4°. that liberty of conscience should be fenced round with such barriers as might exclude both profaneness and persecution. The other articles of the instrument were less essential; they might be altered with circumstances; and he should always be ready to agree to what was reasonable. But he would not permit them to sit, and yet disown the authority by which they sate. For this purpose he had prepared a recognition which he required them to sign. Those who refused would be excluded the house: the rest would find admission, and might exercise their legislative power without control, for his negative remained in force no longer than twenty days. Let them limit his authority if they pleased. He would cheerfully submit, provided he thought it for the interest of the people*.

The members, on their return, found a guard of soldiers at the door of the house, and a parchment for signatures lying on a table in the lobby. It contained the recognition of which the protector had spoken; a pledge that the subscribers would neither propose nor consent to alter the government, as it was settled in one person and a parliament. It was immediately signed by Lenthall, the speaker; his example was followed by the court party; and in the course of a few days almost three hundred names were subscribed. The stanch republicans refused: yet the sequel showed that their exclusion did not give to the court that ascendancy in the house which had been anticipated†.

* Printed by G. Sawbridge, 1654.

† Thurloe, ii. 606. Whitelock, 605.—Journals, Sept. 5—18. Fleetwood, from Dublin, asks Thurloe, "How cam it to passe, that this last teste was not at the first sitting of the house?" ii. 620. See in *Archæol.* xiv. 39, a letter showing that several, who refused to subscribe at first through motives of conscience, did so later. This was in consequence of a declaration that the recognition did not comprehend all the forty-two articles in

About this time an extraordinary accident occurred. Among the presents which Cromwell had received from foreign princes, were six Friesland coach-horses from the duke of Oldenburg. One day, after he had dined
 Sept. 24. with Thurloe under the shade in the park, the fancy took him to try the mettle of the horses. The secretary was compelled to enter the carriage; the protector, forgetful of his station, mounted the box. The horses at first appeared obedient to the hand of the new coachman; but the too frequent application of the lash drove them into a gallop, and the protector was suddenly precipitated from his seat. At first, he lay suspended by the pole with his leg entangled in the harness; and the explosion of a loaded pistol in one of his pockets added to the fright and the rapidity of the horses: but a fortunate jerk extricated his foot from his shoe, and he fell under the body of the carriage without meeting with injury from the wheels. He was immediately taken up by his guards, who followed at full speed, and conveyed to Whitehall; Thurloe leaped from the door of the carriage, and escaped with a sprained ancle and some severe bruises. Both were confined to their chambers for a long time: but by many, their confinement was attributed as much to policy as to indisposition. The cavaliers diverted themselves by prophesying that, as his first fall had been from a coach, the next would be from a cart: to the public, the explosion of the pistol revealed the secret terrors which haunted his mind, that sense of insecurity, those fears of assassination, which are the usual mood of inordinate and successful ambition*.

The force so lately put on the parliament, and the occasion of that force, had opened the eyes of the most devoted among his adherents. His protestations of disinterestedness, his solemn appeals to Heaven in testimony of his wish to lead the life of a private gentleman, were contrasted with his aspiring and arbitrary conduct;

"the instrument," but only what concerned the government by a single person, and successive parliaments. See Journals, Sept. 14.

* Heath, 363. Thurloe, ii. 652, 3. 672. Ludlow, ii. 63. Vaughan, i. 69.

and the house, though deprived of one-fourth of its number, still contained a majority jealous of his designs, and anxious to limit his authority. The accident which had placed his life in jeopardy naturally led to the consideration of the probable consequences of his death; and, to sound the disposition of the members, the question of the succession was repeatedly, though not formally, introduced. The remarks which it provoked Oct. 13. afforded little encouragement to his hopes: yet, when the previous arrangements had been made, and all the dependents of the government had been mustered, Lambert, having in a long and studied speech detailed the evils of elective, the benefits of hereditary, succession, moved that the office of protector should be limited to the family of Oliver Cromwell, according to the known law of inheritance. To the surprise and the mortification of the party, the motion was negatived by a division of two hundred against eighty voices; and it was resolved that, on the death of the protector, his successor should be chosen by the parliament if it were sitting, and by the council in the absence of parliament*.

This experiment had sufficiently proved the feelings of the majority. Aware, however, of their relative weakness, they were careful to give Cromwell no tangible cause of offence. If they appointed committees to revise the ordinances which he had published, they affected to consider them as merely provisional regulations, supply-

* Thurloe, i. 669. 681. 685. Whitelock, 607. Journals, Nov. 30. Though the house was daily occupied with the important question of the government, it found leisure to inquire into the theological opinions of John Bidle, who may be styled the father of the English unitarians. He had been thrice imprisoned by the long parliament, and was at last liberated by the act of oblivion in 1652. The republication of his opinions attracted the notice of the present parliament: to the questions put to him by the speaker, he replied, that he could nowhere find in Scripture that Christ or the Holy Ghost is called God; and it was resolved that he should be committed to the Gatehouse, and that a bill to punish him should be prepared. The dissolution saved his life; and, by application to the upper bench, he recovered his liberty: but was again arrested in 1655, and sent to the Isle of Scilly, to remain for life in the castle of St. Mary. Cromwell discharged him in 1658; but he was again sent to Newgate in 1662, where he died the same year. See Vita Bidelli, the short account. Journals, Dec. 12, 13, 1654. Wood, iii. 591, and Biog. Brit.

ing the place of laws till the meeting of parliament. If they examined in detail the forty-two articles of "the instrument," rejecting some, and amending others, they still withheld their unhallowed hands from those subjects which *he* had pronounced sacred,—the four immovable pillars on which the new constitution was built. Cromwell, on his part, betrayed no symptom of impatience; but waited quietly for the moment when he had resolved to break the designs of his adversaries. They proceeded with the revision of "the instrument;"

1654. their labours were embodied in a bill, and the bill was
 J n. read a third time. During two days the courtiers pro-
 19. longed the debate by moving a variety of amendments;
 22. on the third Cromwell summoned the house to meet him in the painted chamber. Displeasure and contempt were marked on his countenance; and the high and criminatory tone which he assumed taught them to feel how inferior the representatives of the people were to the representative of the army.

They appeared there, he observed, with the speaker at their head, as a house of parliament. Yet, what had they done as a parliament? He never had played, he never would play, the orator: and therefore he would tell them frankly, they had done nothing. For five months they had passed no bill, had made no address, had held no communication with him. As far as concerned them, he had nothing to do but to pray that God would enlighten their minds and give a blessing to their labours. But had they then done nothing? Yes: they had encouraged the cavaliers to plot against the commonwealth, and the levellers to intrigue with the cavaliers. By their dissension they had aided the fanatics to throw the nation into confusion, and by the slowness of their proceedings had compelled the soldiers to live at free quarters on the country. They supposed that he sought to make the protectorship hereditary in his family. It was not true; had they inserted such a provision in "the instrument," on that ground alone he would

have rejected it. He spoke in the fear of the Lord, who would not be mocked, and with the satisfaction that his conscience did not belie his assertion. The different revolutions which had happened were attributed to his cunning. How blind were men who would not see the hand of Providence in its merciful dispensations, who ridiculed as the visions of enthusiasm the observations "made by the quickening and teaching Spirit!" It was supposed that he would not be able to raise money without the aid of parliament. But "he had been inured to difficulties, and never found God failing, when he trusted in him." The country would willingly pay on account of the necessity. But was not the necessity of his creation? No: it was of God; the consequence of God's providence. It was no marvel, if men who lived on their masses and service-books, their dead and carnal worship, were strangers to the works of God; but for those who had been instructed by the Spirit of God, to adopt the same language, and say that men were the cause of these things, when God had done them, this was more than the Lord would bear. But that he might trouble them no longer, it was his duty to tell them that their continuance was not for the benefit of the nation, and therefore he did then and there declare that he dissolved the parliament*.

This was a stroke for which his adversaries were unprepared. "The instrument" had provided that the parliament should continue to sit during five months, and it still wanted twelve days of the expiration of that term. But Cromwell chose to understand the clause not of calendar but of lunar months, the fifth of which had been completed on the preceding evening. Much might have been urged against such an interpretation; but a military force was ready to support the opinion of the protector, and prudence taught the most reluctant of his enemies to obey.

* Printed by Henry Hills, printer to his highness, the lord protector, 1654 Whitelock, 610—618. Journals, Jan. 19, 20, 22.

The conspiracies to which he had alluded in his speech had been generated by the impatience of the two opposite parties, the republicans and the royalists. Of the republicans some cared little for religion, others were religious enthusiasts, but both were united in the same cause by one common interest. The first could not forgive the usurpation of Cromwell, who had reaped the fruit, and destroyed the object of their labours; the second asked each other how they could conscientiously sit quiet, and allow so much blood to have been spilt, and treasure expended, so many tears to have been shed, and vows offered in vain. If they "hoped to look with confidence the king of terrors in the face, if they sought to save themselves from the bottomless pit, it was necessary to espouse once more the cause of him who had called them forth in their generation to assert the freedom of the people and the privileges of parliament*." Under these different impressions, pamphlets were published exposing the hypocrisy and perjuries of the protector; letters and agitators passed from regiment to regiment; and projects were suggested and entertained for the surprisal of Cromwell's person, and the seizure of the castle of Edinburgh, of Hull, Portsmouth, and other places of strength. But it was not easy for the republicans to deceive the vigilance, or elude the grasp of their adversary. He dismissed all officers of doubtful fidelity from their commands in the army, and secured the obedience of the men by the substitution of others more devoted to his interest; by his order, colonel Wildman was surprised in the very act of dictating to his secretary a declaration against the government, of the most offensive and inflammatory tendency; and lord Grey of Groby, colonels Alured, Overton, and others, were arrested, of whom some remained long in confinement, others were permitted to go at large, on giving security for their peaceable behaviour†.

Feb.
10.

* See Thurloe, iii. 29; and Milton's State Papers, 132.

† Thurloe, iii. passim. Whitelock, 608—620. Bates, 290, 291.

The other conspiracy, though more extensive in its ramifications, proved equally harmless in the result. Among the royalists, though many had resigned themselves to despair, there were still many whose enthusiasm discovered in each succeeding event a new motive for hope and exultation. They listened to every tale which flattered their wishes, and persuaded themselves, that on the first attempt against the usurper they would be joined by all who condemned his hypocrisy and ambition. It was in vain that Charles, from Cologne, where he had fixed his court, recommended caution; that he conjured his adherents not to stake his and their hopes on projects, by which, without being serviceable to him, they would compromise their own safety. They despised his warnings; they accused him of indolence and apathy: they formed associations, collected arms, and fixed the fourteenth of February for simultaneous risings in most counties of England*. The day was postponed to March 7; but Charles, at their request, proceeded in disguise to Middleburgh in Zeeland, that he might be in readiness to cross over to England; and lord Wilmot, lately created Earl of Rochester, with sir Joseph Wagstaff, arrived to take the command of the insurgents, the first in the northern, the second in the western counties. It ^{Mar.} was the intention of Wagstaff to surprise Winchester 7. during the assizes: but the unexpected arrival of a troop of cavalry deterred him from the attempt. He waited patiently till the judges proceeded to Salisbury; and, learning that their guard had not accompanied them, entered that city with 200 men at five o'clock in the 11. morning of Monday. The main body with their leader took possession of the market-place, while small detachments brought away the horses from the several inns, liberated the prisoners in the gaol, and surprised the sheriff and the two judges in their beds. At first Wagstaff gave

* Clarendon (Hist. iii. 532) is made to assign the 18th of April for the day of rising; but all the documents, as well as his own narrative, prove this to be an error.

orders that these three should be immediately hanged ; for they were traitors acting under the authority of the usurper : then, pretending to relent, he discharged the judges on their parole, but detained the sheriff a prisoner, because he had refused to proclaim Charles Stuart. At two in the afternoon he left Salisbury, but not before he had learned to doubt of the result. Scarcely a man had joined him of the crowd of gentlemen and yeomen whom the assizes had collected in the town ; and the Hampshire royalists, about two hundred and fifty horse, had not arrived according to their promise. From Salisbury the insurgents marched through Dorsetshire into the county of Devon. Their hopes grew fainter every hour : the further they proceeded, their number diminished ; and, on the evening of the third

Mar. 14. day, they reached Southmolton in a state of exhaustion and despondency. At that moment, Captain Crook, who had followed them for several hours, charged into the town with a troop of cavalry. Hardly a show of resistance was made ; Penruddock, Grove, and Jones, three of the leaders, with some fifty others, were made prisoners : the rest, of whom Wagstaff had the good fortune to be one, aided by the darkness of the night, effected their escape*.

The Hampshire royalists had commenced their march for Salisbury, when, learning that Wagstaff had left that city, they immediately dispersed. Other risings at the same time took place in the counties of Montgomery, Shropshire, Nottingham, York, and Northumberland, but everywhere with similar results. The republicans, ardently as they desired to see the protector humbled in the dust, were unwilling that his ruin should be effected by a party whose ascendancy appeared to them a still more grievous evil. The insurgents were ashamed and alarmed at the paucity of their numbers ; prudence taught them to disband before they proceeded to acts of hostility ;

* Whitelock, 620. Thunloc, iii. 263. 295. 306. Heath, 367. Clarendon, iii. 551. 560. Ludlow, ii. 69. Vaughan, i. 119.

and they slunk away in secrecy to their homes, that they might escape the proof, if not the suspicion, of guilt. Even Rochester himself, sanguine as he was by disposition, renounced the attempt; and, with his usual good fortune, was able to thread back his way, through a thousand dangers, from the centre of Yorkshire to the court of the exiled sovereign at Cologne*.

Whether it was through a feeling of shame, or apprehension of the consequences, Cromwell, even under the provocations which he had received, ventured not to bring to trial any of the men who had formerly fought by his side, and now combined against him because he trampled on the liberties of the nation. With the royalists it was otherwise. He knew that their sufferings would excite little commiseration in those whose favour he sought; and he was anxious to intimidate the more eager by the punishment of their captive associates. Though they had surrendered under articles, Penruddock ^{May} and Grove were beheaded at Exeter; about fifteen ^{16.} others suffered in that city and in Salisbury; and the remainder were sent to be sold for slaves in Barbadoes†. To these executions succeeded certain measures of precaution. The protector forbade all ejected and sequestered clergymen of the church of England to teach as schoolmasters or tutors, or to preach or use the church service as ministers either in public or private; ordered all priests belonging to the church of Rome to quit the kingdom under the pain of death; banished all cavaliers and catholics to the distance of twenty miles from the metropolis; prohibited the publication in print of any news or intelligence without permission from the secretary of state; and placed in confinement most of the nobility and principal gentry in England, till they could produce bail for their good behaviour and future appearance. In addition, an ordinance was published that

* Whitelock, 618-620. Heath, 368. Clarendon, iii. 560.

† State Trials, v. 767-790.

“all who had ever borne arms for the king, or declared themselves to be of the royal party, should be decimated, that is pay a tenth part of all the estate which they had left, to support the charge which the commonwealth was put to by the unquietness of their temper, and the just cause of jealousy which they had administered.” It is difficult to conceive a more iniquitous imposition. It was subversive of the act of oblivion formerly procured by Cromwell himself, which pretended to abolish the memory of all past offences; contrary to natural justice, because it involved the innocent and guilty in the same punishment; and productive of the most extensive extortions, because the commissioners included among the enemies of the commonwealth those who had remained neutral between the parties, or had not given satisfaction by the promptitude of their services, or the amount of their contributions. To put the climax to these tyrannical proceedings, he divided the country into eleven, and, at one period, into fourteen, military governments under so many officers, with the name and rank of major-generals, giving them authority to raise a force within their respective jurisdictions, which should serve only on particular occasions: to levy the decimation and other public taxes; to suppress tumults and insurrections; to disarm all papists and cavaliers; to inquire into the conduct of ministers and schoolmasters; and to arrest, imprison, and bind over, all dangerous and suspected persons. Thus, this long and sanguinary struggle, originally undertaken to recover the liberties of the country, terminated in the establishment of a military despotism. The institutions which had acted as restraints on the power of preceding sovereigns were superseded or abolished; the legislative, as well as the executive authority, fell into the grasp of the same individual; and the best rights of the people were made to depend on the mere pleasure of an adventurer, who, under the

mask of dissimulation, had seized, and by the power of the sword retained, the government of three kingdoms*.

From domestic occurrences, we may now turn to those abroad. During the last year, the two armaments which had so long engaged the attention of the European nations, had sailed from the English ports. Their real, but secret, destination was to invade the American colonies, and surprise the Plate fleet of Spain, the most ancient and faithful ally of the commonwealth. To justify the measure, it was argued in the council that, since America was not named in the treaties of 1604 and 1630, hostilities in America would be no infraction of those treaties; that the Spaniards had committed depredations on the English commerce in the West Indies, and were consequently liable to reprisals; that they had gained possession of these countries by force against the will of the natives, and might, therefore, be justly dispossessed by force; and, lastly, that the conquest of these transatlantic territories would contribute to spread the light of the gospel among the Indians, and to cramp the resources of popery in Europe†. That such flimsy pretences should satisfy the judgment of the protector is improbable; his mind was swayed by

* Sagredo, who had lately arrived as ambassador extraordinary, thus describes the power of Cromwell:—"Non fa caro del nome, gli basta possedere l'autorità e la potenza, senza comparazione maggiore non solo di quanti re siano stati in Inghilterra, ma di quanti monarchi stringono presentemente alcun scettro nel mondo. Simentite le legge fondamentali del regno, egli è il solo legislatore: tutti i governi escono dalle sue mane, e quelli del consiglio, per entrarvi, devono essere nominati da sua altezza, ne possono divenir grandi, se non da lui inalzati. E perchè alcuno non abbia modo di guadagnar autorità sopra l'armata, tutti gli avanzamenti, senza passar per alcun mezzo, sono da lui direttamente conosciuti." Sagredo, MS.

† Thurloe, i. 760, 761; ii. 54, 154, 570. Ludlow, ii. 51, 105. The article of the treaty of 1630, on which Cromwell rested his claim of a free trade to the Indies, was the first establishing peace between *all the subjects* of the two crowns, subditos quoscunque: that which, the Spaniards alleged, was the seventh, in which as the King of Spain would not consent to a free trade to America, it was confined to those countries in which such free trade had been exercised before the war between Elizabeth of England and Philip of Spain—words which excluded America as effectually as if it had been named. See Dumont, iv. par. ii. p. 621.

very different motives—the prospect of reaping, at a small cost, an abundant harvest of wealth and glory, and the opportunity of engaging in foreign service the officers of whose fidelity at home he had good reason to be jealous

The Spanish cabinet, arguing from circumstances, began to suspect his object, and as a last effort, sent the
 Jan. marquis of Leyda ambassador extraordinary to the court of London. He was graciously received, and treated with respect; but, in defiance of his most urgent solicitations, could not, during five months, obtain a positive answer to his proposals. He represented to the protector the services which Spain had rendered to the commonwealth; adverted to the conduct of De Baas, as a proof of the insidious designs of Mazam; maintained that the late insurrection had been partially instigated by the intrigues of France; and that French troops had been collected on the coast to accompany Charles Stuart to England, if his friends had not been so quickly suppressed; and concluded by offering to besiege Calais, and, on its reduction, to cede it to Cromwell, provided he, on his part, would aid the prince of Conde in his design of forcing his way into Bordeaux by sea. At length,
 June 18. wearied with delays, and esteeming a longer residence in England a disgrace to his sovereign, he demanded passports, and was dismissed with many compliments by the protector*.

1654. In the mean while, Blake, who commanded one of the
 Oct expeditions, had sailed to the Straits of Gibraltar, where
 6. he received many civilities from the Spanish authorities. Thence he proceeded up the Mediterranean, capturing, under pretence of reprisals, the French vessels, whether merchantmen or men of war, and seeking, but in vain, the fleet under the duke of Guise. Returning to the south, he appeared before Algiers, and extorted from that government an illusory promise of respect to the English flag. From Algiers he proceeded to Tunis. To

* Thurloe, i. 761, u. 54. 154. 570. Dumont, v. par. ii. 106.

his demands the dey replied: "There are Goletta, Porto M^o.
 " Ferino, and my fleet: let him destroy them if he can." 10.
 Blake departed, returned unexpectedly to Porto Ferino, April
 silenced the fire of the castle, entered the harbour, and 18.
 burnt the whole flotilla of nine men of war. This ex-
 ploit induced the dey of Tripoli to purchase the for-
 bearance of the English by an apparent submission;
 his Tunisian brother deemed it prudent to follow his ex-
 ample; and the chastisement of the pirates threw an
 additional lustre on the fame of the protector. There
 still remained, however, the great but concealed object
 of the expedition, the capture of the Plate fleet laden
 with the treasures of the Indies; but Blake was com-
 pelled to remain so long before Cadiz that the Spaniards
 discovered his design, and Philip, though he professed
 to think the protector incapable of so dishonourable a
 project, permitted the merchants to arm in defence of
 their property. More than thirty ships were manned
 with volunteers: they sailed from Cadiz under the com- Aug.
 mand of Don Pablos de Contreras, and continued for 15.
 some days in sight of the English fleet; but Pablos was
 careful to give no offence; and Blake, on the re-perusal
 of his instructions, did not conceive himself authorised
 to begin the attack. After a long and tedious cruise, he
 received intelligence that the galleons, his destined prey,
 were detained in the harbour of Carthage, and returned
 to England with a discontented mind and shattered con-
 stitution. In regard to the principal object, the expe-
 dition had failed, but this had never been avowed; and
 the people were taught to rejoice at the laurels won in
 the destruction of the Tunisian fleet, and the lesson
 given to the piratical tribes on the northern coast of
 Africa*.

The other expedition consisted of thirty sail and a mili-

* See in particular Blake's letters in Thurloe in 32 330 41 611.
 620 718, iv 19. He complains bitterly of the bad state of the ships, and
 of the punishments suffered by the men from the neglect of the commis-
 sioners of the navy. The protector's instructions to him are in Thurloe,
 i 724.

- Jan. 29. tary force of three thousand men, under the joint command of Penn, as admiral, and of Venables, as general. They spent several weeks among the English settlements in the West Indies, and by the promise of plunder allured to their standard many of the planters, and multitudes of the English, Scottish, and Irish royalists, who had been transported thither as prisoners of war. When they reached Hispaniola, Venables numbered ten thousand men under his command: and, had the fleet boldly entered the harbour of St. Domingo, it was believed that the town, unprepared for resistance, must have immediately submitted. But the greater part of the army was landed at a point about forty miles distant, the expectations of the men were disappointed by a proclamation, declaring that the plunder was to be considered the public property of the commonwealth; the length of the march, the heat of the climate, and the scarcity of water added to the general discontent, and almost a fortnight elapsed before the invaders were able to approach the defences of the place. Their march lay through a thick and lofty wood; and the advance suddenly found itself in front of a battery which enfiladed the road to a considerable distance. On the first discharge the men rushed back on a regiment of foot; that, partaking in the panic, on a squadron of horse: and, while the infantry and cavalry were thus wedged together in inextricable confusion, the Spanish marksmen kept up a most destructive fire from behind the trees lining the road. After a long effort, the wood was cleared by a body of seamen who served among the infantry, and darkness put an end to the action, in which not fewer than a thousand men had fallen. In the morning the English retired to their last encampment, about ten miles from the town.
- April 14. 25. Here Venables called a council of officers, who, having previously sought the Lord, determined to "purge" the army. Some of the runaways were hanged; the officer who commanded the advance was broken, and sent on

28. 28. Here Venables called a council of officers, who, having previously sought the Lord, determined to "purge" the army. Some of the runaways were hanged; the officer who commanded the advance was broken, and sent on

board the hospital ship to wait on the sick; the loose women who had followed the army were apprehended and punished; and a solemn fast was proclaimed and observed. But no fasting, praying, or purging, could restore the spirits of men humbled by defeat, enfeebled by disease, and reduced to the necessity of feeding on the horses belonging to the cavalry. The attempt was abandoned; but, on their return, the two commanders made a descent on the island of Jamaica. The Spanish settlers, about five hundred, fled to the mountains; a capitulation followed; and the island was ceded to England. Could its flourishing condition in a subsequent period have been foreseen, this conquest might have consoled the nation for the loss at Hispaniola, and the disgrace of the attempt. But at that time Jamaica was deemed an inconsiderable acquisition: the failure of the expedition encouraged men to condemn the grounds on which it had been undertaken; and Cromwell, mortified and ashamed, vented his displeasure on Penn and Venables the two commanders, whom, on their arrival, he committed to the Tower*.

May

3.

10.

Aug

31.

To many it seemed a solecism in politics, that, when the protector determined to break with Spain, he did not attempt to sell his services to the great enemy of Spain, the king of France. For reasons which have never been explained, he took no advantage of this circumstance; instead of urging, he seemed anxious to retard, the conclusion of the treaty with that power, after each concession, he brought forward new and more

* Cartes Letters, ii. 46-52. Thurot, iii. 501-509 (89-755, iv. 28 Bates, 367. Penn and Venables, having resigned their commissions were discharged. Council Book, 1655, Oct. 26-31. It appears from the papers in Thurot that Cromwell paid great attention to the prosperity of the West Indian colonies, as affording facilities to future attempts on the American continent. To increase the population he had, as the reader is already aware, forcibly taken up a thousand young girls in Ireland, and sent them to Jamaica, in 1656, while Sagredo was in London, he ordered all females of disorderly lives to be arrested and shipped for Barbadoes for the like purpose. Twelve hundred were sent in three ships. *No veduto prima del mio partire piu squadre di soldati andar per l'India cercando donne di allegria vita, imbarcandone 1,200 sopra tre vascelli per trasportarle all'isola, a fine di far propagazione.* Sagredo, MS.

provoking demands; and, as if he sought to prevail by intimidation, commissioned Blake to ruin the French commerce, and to attack the French fleet, in the Mediterranean. By Louis these insults were keenly felt; but his pride yielded to his interest: expedients were found to satisfy all the claims of the protector; and at length the time for the signature of the treaty was fixed, when an event occurred to furnish new prettexts for delay, that event, which by protestants has been called the massacre, by catholics the rebellion, of the Vaudois.

About the middle of the thirteenth century the peculiar doctrines of the "poor men of Lyons" penetrated into the valleys of Piedmont, where they were cherished in obscurity till the time of the Reformation, and were then exchanged in a great measure, first for Lutheranism, and then for the creed publicly taught at Geneva*. The duke of Savoy by successive grants confirmed to the natives the free exercise of their religion, on condition that they should confine themselves within their ancient limits†: but complaints were made that several among the men of Angrogna had abused their privileges to form settlements and establish their worship in the plains; and the court of Turin, wearied with the conflicting statements of the opposite parties, referred the decision of the dispute to the civilian, Andrea Gastaldo.

1655. After a long and patient hearing, he pronounced a de-
 June finitive judgment, that Lucerna and some other places
 19. lay without the original boundaries, and that the intruders should withdraw under the penalties of forfeiture and death. At the same time, however, permission was given to them to sell for their own profit the lands which they had planted, though by law these lands had become the property of the sovereign‡.

* These were the four districts of Angrogna, Villaro, Bobbio, and Rorata. *Siri, del Mercurio, ovvero Historia de' Correnti Tempi* Firenze, 1682, tom. xv. p. 827.

† *Guilel, Pastore de la Torre*, p. 72. Geneve, 1644, and *Rorengo, Memorie Historiche*, p. 8. 1649.

‡ The decree of Gastaldo is in Morland, *History of the Evangelical*

The Vaudois were a race of hardy, stubborn, half-civilised mountaineers, whose passions were readily kindled, and whose resolves were as violent as they were sudden. At first, they submitted sullenly to the judgment of Gastaldo, but sent deputies to Turin to remonstrate: in a few days a solemn fast was proclaimed; the ministers excommunicated every individual who should sell his lands in the disputed territory; the natives of the valleys under the dominion of the king of France met those of the valleys belonging to the duke of Savoy; both bound themselves by oath to stand by each other in their common defence: and messengers were despatched to solicit aid and advice from the church of Geneva and the protestant cantons of Switzerland. The intelligence alarmed the marquis Pianezza, the chief minister of the duke: who, to suppress the nascent confederacy, marched from Turin with an armed force, reduced La Torre into which the insurgents had thrown a garrison of six hundred men, and, having made an offer of pardon to all who should submit, ordered his troops to fix their quarters in Bobbio, Villaro, and the lower part of Angrogna. It 1656 had previously been promised that they should be peace-ably received; but the inhabitants had already retired 7. to the mountains with their cattle and provisions; and the soldiers found no other accommodation than the bare walls. Quarrels soon followed between the parties; one act of offence was retaliated with another; and the desire of vengeance provoked a war of extermination. But the military were in general successful; and the natives found themselves compelled to flee to the summits of the loftiest mountains, or to seek refuge in the valleys of Dauphiné, among a people of similar habits and religion*.

Accounts of these transactions, but accounts teeming

Churches in the valleys of Piedmont, p. 303. The grounds of that doctrine are at p. 408, the objections to it at p. 423. See also Siri, xv. 827. 830, Chessa, Corona Reale di Savoia, l. 150. Desina, iii. 324. Guicheron, iii. 129.

* Siri, xv. 827—833. It would be a difficult task to determine by whom, after the reduction of La Torre, the first blood was wantonly drawn, or to

with exaggeration and improbabilities, were transmitted to the different protestant states by the ministers at Geneva. They represented the duke of Savoy as a bigoted and intolerant prince, the Vaudois as an innocent race, whose only crime was their attachment to the reformed faith. They implored the protestant powers to assume the defence of their persecuted brethren, and called for pecuniary contributions to save from destruction by famine the remnant which had escaped the edge of the sword*. In England the cause was advocated by the press and from the pulpit; a solemn fast was kept, and the passions of the people were roused to enthusiasm. The ministers in a body waited on Cromwell to recommend the Vaudois to his protection; the armies in Scotland and Ireland presented addresses, expressive of their readiness to shed their blood in so sacred a cause, and all classes of men, from the highest to the lowest, hastened to contribute their money towards the support of the Piedmontese protestants. It was observed that, among those who laboured to inflame the prejudices of the people, none were more active than the two ambassadors from Spain, and Stouppa, the minister of the French church in London†. Both had long laboured

which puts the blame of superintendence really belongs. The intention on each side is understood, and therefore suspicious; the provocations alleged by the one are warmly denied by the other, and to the ravages of the military in Angoumois and Lucerna, are opposed the misdeeds of the catholics in Perouse and San Martino. In favour of the Vaudois may be consulted *Unger, Histoire Generale des Eglises Evangeliques*, &c. (He was a principal instigator of these troubles.) *Stouppa*, (collection of the several papers sent to his highness, &c. London, 1655) *Sabbatensis in Reformation Religionis Persecutionis Brevis Narratio* London 1655. Morland, 321—351 and the papers in *Thurloe*, in 361 84. 41. 16 30 41. 59. 538. Against them—*A Short and Faithful Account of the late Commissions*, &c. with some reflections on Mr. Stouppa's *Collected Papers*, 1655. Morland, 38—404. *Siri*, xv 827—843, and *Thurloe*, in. 413 64. 75 90. 502 35, 35 617. 26 56.

* The infidelity of these reports is acknowledged by Morland, the protector's agent, in a confidential letter to secretary Thurloe. "The greatest difficulty I meet with is in relation to the matter of fact in the beginning of these troubles and during the time of the war. For I find, upon diligent search, that many papers and books which have been put out in print on this subject, even by some ministers of the valleys, are lame in many particulars, and in many things not conformable to truth." *Thurloe*, iv. 417.

† *Thurloe*, in. 470. 680. *Siri*, xv 469.

to prevent the conclusion of the treaty with France; and they now hoped to effect their purpose, because Savoy was the ally of France, and the principal barbarities were said to have been perpetrated by troops detached from the French army*.

These events opened a flattering prospect to the vanity of Cromwell. By his usurpation he had forfeited all claim to the title of the champion of civil liberty; he might still come forward, in the sight of Europe, in the more august character of the protector of the reformed faith. His first care was to make, through Stoupe, a promise to the Vaudois of his support, and an offer to transplant them to Ireland, and to settle them on the lands of the Irish catholics: of which the first was accepted with expressions of gratitude, and the other respectfully declined†. He next solicited the king of France to join with him in mediating between the duke of Savoy and his subjects of the valleys; and received for answer, that Louis had already interposed his good offices, and had reason to expect a favourable result. Lastly, he sent Morland as ambassador to Turin, where May he was honourably received, and entertained at the duke's expense. To his memorial in favour of the Vaudois, it was replied, that out of compliment to Cromwell their rebellion, though unprovoked, should be June forgiven: but his further interference was checked by 21. the announcement that the particulars of the pacification had been wholly referred to Servien, the French ambassador‡.

At home, Cromwell had signified his intention of postponing the signature of the treaty with France till

* Under Pianezze were some troops detached from the French army commanded by prince Thomas of Savoy. It was reported that a regiment of Irish papists formed a part of this detachment; and to them were attributed, of course, the most horrible barbarities. Leger, iii. Stoupe, preface. Thurloe, iii. 412. 459. 460. On inquiry, it was discovered that these supposed Irishmen were English. "The Irish regiment said to be there was the earl of Bristol's regiment, a small and weak one, most of them being English. I hear not such complaints of them as you set forth." Thurloe, iii. 50.

† Thurloe, iii. 459.

‡ Ibid, 528. 608, 636. 656. 672. Siri, ibid. Vauh. 248.

May he was acquainted with the opinion of Louis on the sub-
 21. ject of the troubles in Piedmont. Bordeaux remon-
 strated against this new pretext for delay; he main-
 tained that the question bore no relation to the matter
 of the treaty; that the king of France would never in-
 terfere with the internal administration of an independ-
 ent state; that the duke of Savoy had as good a right
 to make laws for his protestant subjects, as the English
 government for the catholics of the three kingdoms:
 and that the Vaudois were in reality rebels who had
 justly incurred the resentment of their sovereign. But
 June Cromwell was not to be diverted from his purpose. It
 18. was in vain that the ambassador asked for a final an-
 21. swer; that he demanded an audience of leave pre-
 Aug. paratory to his departure. At last he was relieved from
 20. his perplexity by an order to announce that the duke,
 at the request of the king of France, had granted an
 amnesty to the Vaudois, and confirmed their ancient
 privileges; that the boon had been gratefully received
 by the insurgents: and that the natives of the valleys,
 protestants and catholics, had met, embraced each other
 with tears, and sworn to live in perpetual amity toge-
 ther. The unexpected intelligence was received by
 Cromwell with a coldness which betrayed his disappoint-
 ment*. But, if the pacification broke the new projects
 which he meditated†, it served to raise his fame in the
 8 estimation of Europe; for it was evident that the Vau-
 dois owed the favourable conditions which they obtained,
 not so much to the good-will of Louis, as to his anxiety
 that no pretext should remain for the future interference
 of the protector‡.

* Thurlow in 464, 470 475 535 564 706 724 742 745 See, xi. 843.

† The protestant cantons of Switzerland had sent colonel Mey to Eng-
 land, offering to raise an army in aid of the Vaudois, if Cromwell would
 furnish a subsidy of 10,000*l.* per month (See, Mercurio, xi. 472) In
 consequence Dornier, was despatched as envoy to these cantons but the
 pacification was already concluded, and on his arrival at Geneva, he re-
 ceived orders, dated Aug. 30, to return immediately (Thurlow, in 692 4,
 iv 31) Still the design was not abandoned, but entrusted to Morland,
 who remained at Geneva to distribute the money from England. What
 were his secret instructions may be seen, *ibid* p 326.

‡ The conditions may be seen in Morland, 652. Dumont, vi part ii

But though tranquillity was restored in Piedmont, Cromwell was still unwilling to conclude the treaty till he had ascertained what impression had been made on the king of Spain by the late attempt on Hispaniola. To Philip, already engaged in war with France, it was painful to add so powerful an adversary to the number of his enemies; but the affront was so marked, so unjust, so unprovoked, that to submit to it in silence was to subscribe to his own degradation. He complained, Sept. 1. in dignified language, of the ingratitude and injustice of the English government; contrasted with its conduct his own most scrupulous adhesion both to the letter and the spirit of the treaties between the kingdoms; ordered that all ships, merchandize, and property belonging to the subjects of the Commonwealth should be seized and secured in every part of his dominions, and instructed his ambassador in London to remonstrate and take his leave*. The day after the passport was delivered to don Alonzo, Cromwell consented to the signature of the treaty with France. Oct. 21. It provided, that the maritime hostilities, which had so long harassed the trade of the two nations, should cease; that the relations of amity and commerce should be restored; and, by a separate, and therefore called a secret, article, that Barriere, agent for the prince of Condé, and nine other Frenchmen, equally obnoxious to the French ministry, should be perpetually excluded from the territory of the Commonwealth; and that Charles Stuart, his brother the duke of York, Ormond, Hyde, and fifteen other adherents of the exiled prince, should, in the same manner, be excluded from the kingdom of France†. The

p. 114; and Leger, 216. The subscription for the Vaudois, of which 2000*l.* was given by the protector, amounted to 38,228*l.* 4*s.* 2*d.* Of this sum 25,928*l.* 8*s.* 9*d.* was sent at different times to the valleys; 463*l.* 17*s.* was charged for expenses; and about 500*l.* was found to be clipt or counterfeited money. Journals, 11, July 1559.

* Thurot, iv. 19, 20, 21. 82, 91.

† Dumont, vi. part ii. p. 121. In the body of the treaty, neither the king nor the protector is named. All the articles are stipulated between the Commonwealth of England and the kingdom of France. In the preamble, however, the king of France is mentioned, and in the first place,

protector had persuaded himself that, if the house of Stuart was to be restored, it must be through the aid of France; and, he hoped, by the addition of this secret article, to create a bitter and lasting enmity between the two families. Nor was he content with this. As soon as the ratifications had been exchanged, he proposed a more intimate alliance between England and France. Bordeaux was instructed to confine himself in his reply to general expressions of friendship. He might receive any communications which were offered: he was to make no advances on the part of his sovereign

but not as if this arose from any claim of precedence, for it merely relates, that the most Christian king sent his ambassador to England, and the most serene lord, the protector appointed commissioners to meet him. When the treaty was submitted to Bordeaux previously to his signature he discovered an alteration in the usual title of his sovereign, *Rex Galliarum*, (the very title afterwards adopted by the national assembly,) instead of *Rex Galliarum* and on that account refused to sign it. After a long contestation he yielded to the arguments of the Dutch ambassador Thuinot, iv. 115.

CHAPTER II.

THE PROTECTORATE.

Poverty and Character of Charles Stuart—War with Spain—Parliament—Exclusion of Members—Punishment of Naylor—Proposal to make Cromwell King—His hesitation and refusal—New Constitution—Sundercomb—Sexby—Alliance with France—Parliament of Two Houses—Opposition in the Commons—Dissolution—Reduction of Dunkirk—Sickness of the Protector—His Death and Character.

THE reader is aware that the young king of Scots, after his escape from Worcester, had returned to Paris, defeated but not disgraced. The spirit and courage which he had displayed were taken as an earnest of future and more successful efforts; and the perilous adventures which he had encountered, threw a romantic interest round the character of the royal exile. But in Paris he found himself without money or credit, followed by a crowd of faithful dependents, whose indigence condemned them to suffer the most painful privations. His mother, Henrietta, herself in no very opulent circumstances, received him into her house and to her table; after the lapse of six months, the French king settled on him a monthly allowance of six thousand francs*; and to this were added the casual supplies furnished by the loyalty of his adherents in England, and his share of the prizes made by the cruisers under his flag†. Yet, with all these aids, he was scarcely able to satisfy the

* Clar. iii. 441. Thirteen francs were equivalent to an English pound.

† His claim was one fifteenth, that of the duke of York, as admiral, one-tenth. See a collection of letters, almost exclusively on that subject, between sir Edward Hyde and sir Richard Browne. Evelyn's Mem. v. 241, et seq.

more importunate of his creditors, and to dole out an occasional pittance to his more immediate followers. From their private correspondence it appears that the most favoured among them were at a loss to procure food and clothing *.

Yet, poor as he was, Charles had been advised to keep up the name and appearance of a court. He had his lord keeper, his chancellor of the exchequer, his privy councillors, and most of the officers allotted to a royal establishment: and the eagerness of pursuit, the competition of intrigue with which these nominal dignities were sought by the exiles, furnish scenes which cannot fail to excite the smile or the pity of an indifferent spectator. But we should remember that they were the only objects left open to the ambition of these men; that they offered scanty, yet desirable, salaries to their poverty; and that they held out the promise of more substantial benefits on the restoration of the king, an eve it which, however distant it might seem to the apprehension of others, was always near in the belief of the more ardent royalists †.

Among these competitors for place were two, who soon acquired, and long retained, the royal confidence, the marquess of Ormond and sir Edward Hyde. Ormond owed the distinction to the lustre of his family, the princely fortune which he had lost in the royal cause, his long though unsuccessful services in Ireland, and the high estimation in which he had been held by the late monarch. In talent and application Hyde was

* Clarendon Pap. iii. 120, 124. "I do not know that any man is yet dead for want of bread; which really I wonder at. I am sure the king owes for all he hath eaten since April: and I am not acquainted with one servant of his who hath a pistole in his pocket. Five or six of us eat together one meal a day for a pistole a week: but all of us owe for God knows how many weeks, to the poor woman that feeds us." Clarendon Papers, iii. 174. June 27, 1653. "I want shoes and shirts, and the marquess of Ormond is in no better condition. What help then can we give our friends?" *Ibid.* 229, Ap. 3, 1654. See also Carte's Letters, ii. 461.

† Clarendon Pap. iii. 83, 99, 106, 136, 162, 179, 187, et passim. Clarendon, History, iii. 434, 5, 433.

superior to any of his colleagues. Charles I. had appointed him chancellor of the exchequer, and counsellor to the young prince; and the son afterwards confirmed by his own choice the judgment of his father. Hyde had many enemies; whether it was that by his hasty and imperious temper he gave cause of offence, or that unsuccessful suitors, aware of his influence with the king, attributed to his counsels the failure of their petitions. But he was not wanting in his own defence: the intrigues set on foot to remove him from the royal ear were defeated by his address; and the charges brought against him of disaffection and treachery were so victoriously refuted, as to overwhelm the accuser with confusion and disgrace*.

The expectations, however, which Charles had raised by his conduct in England were soon disappointed. He seemed to lose sight of his three kingdoms amidst the gaieties of Paris. His pleasures and amusements engrossed his attention; it was with difficulty that he could be drawn to the consideration of business; and, if he promised to devote a few hours on each Friday to the writing of letters and the signature of despatches, he often discovered sufficient reasons to free himself from the burthen†. But that which chiefly distressed his advisers was the number and publicity of his amours; and, in particular, the utter worthlessness of one woman, who by her arts had won his affection, and by her impudence exercised the control over his easy temper. This was Lucy Walters, or Barlow, the mother of a child, afterwards the celebrated duke of Monmouth, of whom Charles believed himself to be the father‡.

* Clarendon, 111. 138. 510. 515—520. Lansdowne's Works, ii. 236—241, quoted by Harris, iv. 153. Clarendon Papers, vol. 84. 92. 138. 188. 200. 229.

† Clarend. Pap. iii. 159. 170.

‡ She was previously the mistress of colonel Robert Sydney; and her son bore so great a resemblance to that officer, that the duke of York always looked upon Sydney as the father. Life of James, i. 491. James, in his instructions to his son, says, "All the knowing world as well as myself, had many convincing reasons to think he was not the king's son, but Robert Sydney's." Macpherson's Papers, i. 77. Evelyn calls Barlow "a browne, beautiful, bold, but insipid creature." Diary, ii. 11.

Ormond and Hyde laboured to dissolve this disgraceful connexion. They represented to the king the injury which it did to the royal cause in England, where the appearances at least of morality were so highly respected; and, after several temporary separations, they prevailed 1656. on Walters to accept an annuity of 400*l.*, and to repair Jan. with her child to her native country. But Cromwell 21. sent her back to France; and she returned to Paris, July where by her lewdness she forfeited the royal favour, 16. and shortened her own days. Her son was taken from her by the lord Crofts, and placed under the care of the Oratoriens in Paris⁴.

But if Charles was inextinguishable in the pursuit of pleasure, he proved a docile pupil on the subject of religion. On one hand, the catholics, on the other, the presbyterians, urged him by letters and messages to embrace their respective modes of worship. The former maintained that he could recover the crown only through the aid of the catholic sovereigns, and had no reason to expect such aid, while he professed himself a member of that church which had so long persecuted the English catholics⁵. The others represented themselves as holding the destiny of the king in their hands; they were royalists at heart, but how could they declare in favour of a prince who had apostatized from the covenant

* James, i. 492. Clarendon's Own Life, 205. Clarendon Papers, in 180. Thurot, v. 169. 178. vii. 325. Charles, in the time of his exile, had also children by Catherine Pez, and Elizabeth Killygow. See Sandford, 646, 647. In the account of Barlow's discharge from the Tower, by Whitelock, we are told that she called herself the wife of Charles (Whitelock, 649) in the *Memoirs Politiques*, she is styled "his wife or mistress" Ellis new series, in 352.

† Yet he made application in 1654 to the pope, through Goswin Nickel, general of the order of Jesuits, for a large sum of money, which might enable him to contend for his kingdom at the head of an army of Irish catholics, promising in case of success, to grant the free exercise of the catholic religion, and every other indulgence which could be reasonably asked. The reason alleged for this application was that the power of Cromwell was drawing to a close, and the most tempting offers had been made to Charles by the presbyterians, but the presbyterians were the most cruel enemies of the catholics and he would not owe his restoration to them, till he had sought and been refused the aid of the catholic powers. From the original dated at Cologne, 17th Nov., 1654, n. 8, and subscribed by Peter Talbot, afterwards catholic archbishop of Dublin, ex mandato expresso Regis Britanniarum. It was plainly a scheme on the part of Charles to procure money, and probably failed of success.

which he had taken in Scotland, and whose restoration would probably re-establish the tyranny of the bishops * ? The king's advisers repelled these attempts with warmth and indignation. They observed to him that, to become a catholic was to arm all his protestant subjects against him ; to become a presbyterian, was to alienate all who had been faithful to his father, both protestants of the church of England and catholics. He faithfully followed their advice ; to both parties he promised, indeed, every indulgence in point of religion which they could reasonably desire : but avowed, at the same time, his determination to live and die a member of that church in defence of which his father had fought and suffered. It is not, however, improbable that these applications, with the arguments by which they were supported, had a baneful influence on the mind of the king. They created in him an indifference to religious truth, a persuasion that men always model their belief according to their interest †.

As soon as cardinal Mazarin began to negotiate with the protector, the friends of Charles persuaded him to quit the French territory. By the French minister the proposal was gratefully received ; he promised the royal fugitive the continuation of his pension, ordered the arrears to be immediately discharged, and paid him for the next half year in advance ‡. Charles fixed his residence at Cologne, where he remained for almost 12. two years, till the rupture between England and Spain called him again into activity §. After some previous

* Both these parties were equally desirous of having the young duke of Gloucester of their religion. *Clar. Pap.* iii. 153. 155. The queen mother placed him under the care of Montague, her almoner, at Pontouse ; but Charles sent Ormond, who brought him away to Cologne. *Clar. Hist.* iii. 545. *Papers*, iii. 256—260. *Evelyn*, v. 205. 208.

† *Clarendon Papers*, iii. 163, 164. 256. 281. 298. 316. *Hist.* iii. 443.

‡ 7200 pistoles for twelve months' arrears, and 3600 for six in advance. *Clar. Pap.* iii. 293.

§ While Charles was at Cologne, he was surrounded by spies, who supplied Cromwell with copious information, though it is probable that they knew little more than the public reports in the town. On one occasion the letters were opened at the post-office, and a despatch was found from a person named Manning to Thurloe. Being questioned before Charles

negotiation, he repaired to the neighbourhood of Brussels, and offered himself as a valuable ally to the Spanish monarch. He had it in his power to call the English and Irish regiments in the French service to his own standard; he possessed numerous adherents in the English navy; and, with the aid of money and ships, he should be able to contend once more for the crown of his fathers, and to meet the usurper on equal terms on English ground. By the Spanish ministers the proposal was entertained, but with their accustomed slowness. They had to consult the cabinet at Madrid; they were unwilling to commit themselves so far as to cut off all hope of reconciliation with the protector; and they had already accepted the offers of another enemy to Cromwell, whose aid, in the opinion of Don Alonzo, the late ambassador, was preferable to that of the exiled king*.

This enemy was colonel Sexby. He had risen from the ranks to the office of adjutant-general in the parliamentary army; and his contempt of danger and enthusiasm for liberty had so far recommended him to the notice of Cromwell, that the adjutant was occasionally honoured with a place in the councils, and a share in the bed, of the lord-general. But Sexby had attached himself to the cause, not to the man; and his admiration, as soon as Cromwell apostatized from his former principles, was converted into the most deadly hatred. On the expulsion of the long parliament, he joined Wildman and the levellers: Wildman was apprehended; but Sexby eluded the vigilance of the pursuivants, and traversed the country in disguise, everywhere distribut-

Manning confessed that he received an ample maintenance from the protector, but defended himself on the ground that he was careful to communicate nothing but what was false. That this plea was true, appeared from his despatch, which was filled with a detailed account of a fictitious debate in the council: but the falsehoods which he had sent to England had occasioned the arrest and imprisonment of several royalists, and Manning was shot as a traitor at Duynwald, in the territory of the duke of Neuburg. *Clar* iii 563 9 *Whitlock*, 633. *Thurloe*, iv. 293.

* *Clar*. Pap. iii. 275. 279. 286.

ing pamphlets, and raising up enemies to the protector. In the month of May, 1655, he repaired to the court at Brussels. To the archduke and the count of Fuensaldagna, he revealed the real object of the secret expedition under Venables and Penn; and offered the aid of the English levellers for the destruction of a man, the common enemy of the liberties of his country, and of the rights of Spain. They were a numerous and determined band of patriots; they asked no other aid than money and the co-operation of the English and Irish troops in the Spanish service: and they were ready, for security, to deliver a strong maritime fortress into the hands of their allies. Fuensaldagna hesitated to give a positive answer before an actual rupture had taken place; and at his recommendation Sexby proceeded to Madrid. At first he was received with coldness; but the news from Hispaniola established his credit; the value of his information was now acknowledged; he obtained the sum of 40,000 crowns for the use of his party, and an assurance was given that, as soon as they should be in possession of the port which he had named, 6000 men should sail from Flanders to their assistance. Sexby returned to Antwerp, transmitted several large sums to his adherents, and, though Cromwell at length obtained information of the intrigue, though the last remittance of 800*l.* had been seized, the intrepid leveller crossed over to England, made his arrangements with his associates, and returned in safety to the continent*.

It now became the object of the Spanish ministers, who had, at last, accepted the offer of Charles, to effect an union between him and Sexby, that, by the co-operation of the levellers with the royalists, the common enemy might more easily be subdued. Sexby declared that he had no objection to a limited monarchy, provided it were settled by a free parliament. He believed that his friends would have none; but he advised that, at

* Clarend. Pap. iii. 271, 2. 4. 7. 281. 5. Thurloe, iv. 698; v. 37. 100. 319 349; vi. 829—33. Carte's Letters, ii. 85. 103.

the commencement of the attempt, the royalists should make no mention of the king, but put forth as their object the destruction of the usurper and the restoration of public liberty. Charles, on the other hand, was willing to make use of the services of Sexby; but he did not believe that his means were equal to his professions, and he saw reason to infer, from the advice which he had given, that his associates were enemies to royalty*.

The negotiation between the king and the Spanish ministers began to alarm both Cromwell and Mazarin. The cardinal anticipated the defection of the British and Irish regiments in the French service; the protector foresaw that they would probably be employed in a descent upon England. It was resolved to place the duke of York in opposition to his brother. That young prince had served with his regiment during four campaigns, under the marshal Turenne; his pay as colonel, and his pension of 6000 pistoles, amply provided for his wants; and his bravery in the field had gained him the esteem of the general, and rendered him the idol of his countrymen. Instead of banishing him, according to the secret article, from France, Mazarin, with the concurrence of Cromwell, offered him the appointment of captain-general in the army of Italy. By James it was accepted with gratitude and enthusiasm; but Charles commanded him to resign the office, and to repair immediately to Bruges. He obeyed: his departure was followed by the resignation of most of the British and Irish officers in the French army; and, in many instances, the men followed the example of their leaders. Defeated in this instance, Cromwell and Mazarin had recourse to another intrigue, of which the secret springs are concealed from our sight. It was insinuated by some pretended friend to Don Juan, the new governor of the Netherlands, that little reliance was to be placed on James, who was sincerely attached to France and governed by sir John Berkeley, the secret agent of the

* *Clar. Pap. iii. 303. 311. 2. 5—7.*

French court, and the known enemy of the chancellor and his party. In consequence, the real command of the royal forces was given to Marsin, a foreigner; an oath of fidelity to Spain was, with the consent of Charles, 5. exacted from the officers and soldiers; and in a few days James was first requested and then commanded by his brother to dismiss Berkeley. The young prince 13. did not refuse; but he immediately followed Berkeley 16. into Holland, with the intention of passing through Germany into France. His departure was hailed with joy by Cromwell, who wrote a congratulatory letter to Mazarin on the success of this intrigue: it was an object of dismay to Charles, who by messengers entreated and commanded James to return. At Breda, the prince 1657 appeared to hesitate. He soon afterwards retraced his Jan. steps to Bruges, on a promise that the past should be 13. forgotten: Berkeley followed; and the triumph of the fugitives was completed by the elevation of the obnoxious favourite to the peerage*.

We may now return to England, where the Spanish war had excited general discontent. By the friends of the commonwealth Spain was considered as their most ancient and faithful ally; the merchants complained that the trade with that country, one of the most lucrative branches of British commerce, was taken out of their hands and given to their rivals in Holland; and the saints believed that the failure of the expedition to Hispaniola was a sufficient proof that heaven condemned

* Of the flight of James, Clarendon makes no mention in his history. He even seeks to persuade his reader that the duke was compelled to leave France in consequence of the secret article, (iii. 610. 614. Papers, in Supplement lxxix), though it is plain from the Memoirs of James, that he left unwillingly in obedience to the absolute command of his brother. (James, i. 270.) Clarendon makes the enmity between himself and Berkeley arise from his opposition to Berkeley's claim to the mastership of the court of wards (Hist. 440, Papers, *ibid.*); James, from Clarendon's advice to lady Morton to reject Berkeley's proposal of marriage (James, i. 273.) That the removal of Berkeley originated with Mazarin, and was required by Fuensaldagna, who employed lord Bristol and Beimet for that purpose, appears from Cromwell's letter to the cardinal. (Thurloe, v. 736.) Bristol's letter to the king, (Clar. Papers, iii. 318) and Clarendon's account of Berkeley. *Ibid.* Supplement, lxxix. See also *ibid.* 317—324; and the Memoirs of James, i. 266—293.

- this breach of the amity between the two states. It was to little purpose that Cromwell, to vindicate his conduct, published a manifesto, in which, having enumerated many real or pretended injuries and barbarities inflicted on Englishmen by the Spaniards in the West Indies, he contended that the war was just, and honourable, and necessary. His enemies, royalists, levellers, anabaptists, and republicans, of every description, did not suffer the clamour against him to subside: and, to his
- Mar. surprise, a request was made by some of the captains of
 2. another fleet collected at Portsmouth, to be informed of the object of the expedition. If it were destined against Spain, their consciences would compel them to decline the service. Spain was not the offending party: for the instances of aggression enumerated in the manifesto were well known to have been no more than acts of self-
5. defence against the depredations and encroachments of English adventurers^b. To suppress this dangerous spirit, Desborough hastened to Portsmouth: some of the officers resigned their commissions, others were super-
15. seded, and the fleet at length sailed under the joint command of Blake and Montague, of whom the latter possessed the protector's confidence, and was probably employed as a spy on the conduct of his colleague. Their destination in the first place was Cadiz, to destroy the shipping in the harbour, and to make an attempt on that city, or the rock of Gibraltar. On their arrival,
- April they called a council of war; but no pilot could be found
 15. hardy or confident enough to guide the fleet through the winding channel of the Caraccas; and the defences of both Cadiz and Gibraltar presented too formidable an aspect to allow a hope of success without the co-operation of a military force^c. Abandoning the attempt, the
- May two admirals proceeded to Lisbon, and extorted from the
 29. king of Portugal the ratification of the treaty formerly

^b Thurloe, iv. 571. See also 582. 589. 594. Carte's Letters, n. 27. 90. 92. 95.

^c Thurloe, v. 67. 133.

concluded by his ambassador, with the payment of the stipulated sum of 50,000*l*. Thence they returned to June Cadiz, passed the straits, insulted the Spaniards in 10. Malaga, the Moors in Saltee, and after a fruitless cruise July of more than two months, anchored a second time in the 10. Tagus*. It fortuned, that just after their arrival captain Stayner, with a squadron of frigates, fell in with a Sept. Spanish fleet of eight sail from America. Of these he 10. destroyed four, and captured two, one of which was laden with treasure. Montague, who came home with the prize, valued it in his despatch at 200,000*l*.; the public prints at two millions of ducats; and the friends of Cromwell hailed the event "as a renewed "testimony "of God's presence, and some witness of his acceptance "of the engagement against Spain†."

The equipment of this fleet had exhausted the treasury, and the protector dared not impose additional taxes on the country at a time when his right to levy the ordinary revenue was disputed in the courts of law. On the ground that the parliamentary grants were expired, sir Peter Wentworth had refused to pay the assessment in the country, and Coney, a merchant, the duties on imports in London. The commissioners imposed fines, and distrained; the aggrieved brought actions against the collectors. Cromwell, indeed, was able to suppress these proceedings by imprisoning the counsel and intimidating their clients; but the example was dangerous: the want of money daily increased; and, by the advice of the council, he consented to call a parliament to meet on the 17th of September‡.

* Thurloe, i. 726—730; v. 68. 113. 257. 286. Vaughan, i. 446.

† Thurloe, 399. 433. 509. 524. Carte's Letters, ii. 114. It appears from a letter of colonel White, that the silver in pigs weighed something more than forty thousand pounds, to which were to be added some chests of wrought plate. Thurloe. 542. Thurloe himself says all was plundered to about 250,000*l*. or 300,000*l*. sterling. 557. The ducat was worth 9*s*.

‡ Carte's Letters, ii. 96. 103. 109. Ludlow, ii. 80—82. Clar. Hist. iii. 649. See also A Narrative of the Proceedings in the case of Mr. G. Coney, by S. Selwood, gent., 1655.—The Jews had offered Cromwell a considerable sum for permission to settle and trade in England. Commissioners were appointed to confer with their agent Manasseh Ben Israel, and a

The result of the elections revealed to him the alarming secret, that the antipathy to his government was more deeply rooted, and more widely spread, than he had previously imagined. In Scotland and Ireland, indeed, the electors obsequiously chose the members recommended by the council; but these were conquered countries, bending under the yoke of military despotism. In England, the whole nation was in a ferment; pamphlets were clandestinely circulated, calling on the electors to make a last struggle in defence of their liberties; and, though Vane, Ludlow, and Rich were taken into custody*, though other republican leaders were excluded by criminal prosecutions, though the cavaliers, the catholics, and all who had neglected to aid the cause of the parliament, were disqualified from voting by "the instrument," though a military force was employed in London to overawe the proceedings, and the whole influence of the government and of the army was openly exerted in the country, yet in several counties the court candidates were wholly, and in most partially, rejected. But Cromwell was aware of the error which he had committed in the last parliament. He resolved that none of his avowed opponents should be allowed to take possession of their seats. The returns were laid before the council; the majors-general received orders to inquire into the political and religious characters of the elected; the reports of these officers were carefully examined; and a list was made of nearly one hundred persons to be excluded under the pretext of immorality or delinquency†.

On the appointed day, the protector, after divine service, addressed the new "representatives" in the painted

council of divines was consulted respecting the lawfulness of the project. The opposition of the merchants and theologians induced him to pause; but Mr. Ellis has shown that he afterwards took them silently under his protection. Council Book, 14th Nov., 1655. *Thurloe*, iv. 321. 88 *Bates*, 371. *Ellis*, iv. 2. Marten had made an ineffectual attempt in their favour at the commencement of the commonwealth. *Wood's Athen. Ox.* iii. 1239.

* The proceedings on these occasions may be seen in *Ludlow*, ii. 115—123; and *State Trials*, v. 791.

† *Thurloe*, v. 269. 317. 328, 9. 337. 341. 3. 9. 424.

chamber. His real object was to procure money; and with this view he sought to excite their alarm, and to ^{Sept.} inflame their religious antipathies. He enumerated ^{17.} the enemies of the nation. The first was the Spaniard, the natural adversary of England, because he was the slave of the pope, a child of darkness, and consequently hostile to the light, blinded by superstition, and anxious to put down the things of God; one with whom it was impossible to be at peace, and to whom, in relation to this country, might be applied the words of Scripture, "I will put enmity between thy seed and her seed." There was also Charles Stuart, who with the aid of the Spaniard and the duke of Newburg, had raised a formidable army for the invasion of the island. There were the papists and cavaliers, who had already risen, and were again ready to rise in favour of Charles Stuart. There were the levellers, who had sent an agent to the court of Madrid, and the fifth-monarchy-men, who sought an union with the levellers against him, "a reconciliation between Herod and Pilate that Christ might be put to death." The remedies—though in this part of his speech he digressed so frequently as to appear loth to come to the remedies,—were to prosecute the war abroad, and strengthen the hands of the government at home; to lose no time in questions of inferior moment, or less urgent necessity, but to inquire into the state of the revenue, and to raise ample supplies. In conclusion, he explained the eighty-fifth psalm, exclaiming, "If pope and Spaniard, and devil, and all set themselves against us, though they should compass us about like bees, yet in the name of the Lord we shall destroy them. The Lord of Hosts is with us, the God of Jacob is our refuge*."

From the painted chamber the members proceeded to the house. A military guard was stationed at the door,

* Introduction to Burton's Diary, cxlviii-clxxix. Journals, Sep. 17. Thurloe, v. 427. That the king's army, which Cromwell exaggerated to the amount of eight thousand men, did not reach to more than one thousand, is twice asserted by Thurloe himself. 605, 672.

and a certificate from the council was required from each individual previously to his admission *. The excluded members complained by letter of this breach of parliamentary privilege. A strong feeling of disapprobation was manifested in several parts of the house; the clerk of the commonwealth in chancery received orders to lay all the returns on the table; and the council was requested to state the grounds of this novel and partial proceeding. Fienes, one of the commissioners of the great seal, replied, that the duty of inquiry into the qualifications of the members was, by the "instrument," vested in the lords of the council, who had discharged that trust according to the best of their judgment. An animated debate followed: that such was the provision in "the instrument" could not be denied †; but that the council should decide on secret information, and without the knowledge of the individuals who were interested, seemed contrary to the first principles of justice. The court, however, could now command the votes of the majority, and a motion that the house should pass to the business of the nation was carried by dint of numbers. Several members, to show their disapprobation, voluntarily seceded, and those, who had been excluded by force, published in bold and indignant language an appeal to the justice of the people ‡.

22.

Having weeded out his enemies, Cromwell had no reason to fear opposition to his pleasure. The house

* The certificates which had been distributed to the favoured members were in this form: "Sep. 17, 1656. County of—. These are to certify that A. B. is returned by indenture one of the knights to serve in this parliament for the said county, and is approved by his highness's council. Nath. Taylor, clerk of the commonwealth in chancery."

† In the draught of the "instrument," as it was amended in the last parliament, the jurisdiction of the council in this matter was confined to the charge of delinquency, and its decision was not final, but subject to the approbation of the house. Journals, 1654, Nov. 29. But that draught had not received the protector's assent.

‡ The nature of the charges against the members may be seen in Thurloe, v. 371. 383. In the Journals, seventy nine names only are mentioned (Journals, 1656, Sep. 19), but ninety-eight are ascribed to the appeal in Whitelock, 651—3. In both lists occur the names of Anthony Ashley Cooper, who afterwards became Cromwell's intimate adviser, and of several others who subsequently solicited and obtained certificates.

passed a resolution declaratory of the justice and policy of the war against Spain, and two acts, by one of which were annulled all claims of Charles Stuart and his family to the crown, by the other were provided additional safeguards for the person of the chief governor. With the same unanimity a supply of 400,000*l.* was voted; but when the means of raising the money came under consideration, a great diversity of opinion prevailed. Some proposed to inquire into the conduct of the treasury, some to adopt improvements in the collection of the revenue, others recommended an augmentation of the excise, and others a more economical system of expenditure. In the discussion of these questions and of private bills, week after week, month after month, was tediously and fruitlessly consumed; though the time limited by the instrument was passed, still the money bill had made no progress; and, to add to the impatience of Cromwell, a new subject was accidentally introduced, which, as it strongly interested the passions, absorbed for some time the attention of the house*.

At the age of nineteen, George Fox, the son of a weaver of Drayton, with a mind open to religious impressions, had accompanied some of his friends to a neighbouring fair. The noise, the revelry, and the dissipation which he witnessed, led him to thoughts of seriousness and self-reproach; and the enthusiast heard, or persuaded himself that he heard, an inward voice, calling on him to forsake his parents' house, and to make himself a stranger in his own country. Docile to the celestial admonition, he began to lead a solitary life, wandering from place to place, and clothed from head to foot in garments of leather. He read the Scriptures attentively, studied the mysterious visions in the Apocalypse, and was instructed in the real meaning by Christ and the Spirit. At first, doubts and fears haunted his mind but, when the time of trial was past, he found

* Journals, *passim*. Thurloe, v. 472. 94. 524. 84. 672. 94. See note (A).

himself inebriated with spiritual delights, and received an assurance that his name was written in the Lamb's Book of Life. At the same time, he was forbidden by the Lord to employ the plural pronoun *you* in addressing a single person, to bid his neighbour good even or good morrow, or to uncover the head, or scrape with the leg to any mortal being. At length, the Spirit moved him to impart to others the heavenly doctrines which he had learned. In 1647, he preached for the first time at Duckenfield, not far from Manchester: but the most fruitful scene of his labours was at Swarthmoor, near Ulverston. His disciples followed his example; the word of the Spirit was given to women as well as men; and the preachers of both sexes, as well as many of their followers, attracted the notice and the censures of the civil magistrate. Their refusal to uncover before the bench was usually punished with a fine, on the ground of contempt; their religious objection to take an oath, or to pay tithes, exposed them to protracted periods of imprisonment; and they were often and severely whipped as vagrants, because, for the purpose of preaching, they were accustomed to wander through the country. To these sufferings, as is always the case with persecuted sects, calumny was added; and they were falsely charged with denying the Trinity, with disowning the authority of government, and with attempting to debauch the fidelity of the soldiers. Still, in defiance of punishment and calumny, the Quakers, so they were called, persevered in their profession: it was their duty, they maintained, to obey the influence of the Holy Spirit; and they submitted with the most edifying resignation to the consequences, however painful they might be to flesh and blood*.

Of the severities so wantonly exercised against these religionists it is difficult to speak with temper: yet it must be confessed that their doctrine of spiritual im-

* Fox, Journal, i. 29, et seq. Sewel, i. 24. 31. 34, passim.

pulses was likely to lead its disciples of either sex, whose minds were weak and imaginations active, to extravagances at the same time ludicrous and revolting *. Of this, James Naylor furnished a striking instance. He had served in the army, and had been quarter-master in Lambert's troop, from which office he was discharged on account of sickness †. He afterwards became a disciple of George Fox, and a leading preacher in the capital: but he "despised the power of God" in his master, by whom he was reprimanded, and listened to the delusive flattery of some among his female hearers, who were so captivated with his manner and appearance, as to persuade themselves that Christ was incorporated in the new apostle. It was not for him to gainsay what the Spirit had revealed to them. He believed himself to be set as a sign of the coming of Christ: and he accepted the worship which was paid to him, not as offered to James Naylor, but to Christ dwelling in James Naylor. Under 1656, this impression, during part of his progress to Bristol, Oct. and at his entrance into that city, he rode on horseback with a man walking bareheaded before him, two females holding his bridle on each side, and others attending him, one of whom, Dorcas Ebury, maintained that he had raised her to life after she had been dead the space of two days. These occasionally threw scarves and handkerchiefs before him, and sang, "Holy, holy, holy, 'is the Lord God of Hosts: Hosanna in the highest;

* "William Simpson was moved of the Lord to go at several times, for "three years naked and barefoot before them, as a sign unto them in "markets, courts, towns, cities to priests' houses, and to great men's houses, "so shall they all be stripped naked as he was stripped naked. And "sometimes he was moved to put on hair sackcloth, and to besmear his "face—and to tell them, so would the Lord besmear all their religion, as "he was besmear'd. Great sufferings did that poor man undergo, sore "whipping with ho scowps and coachwhips on his bare body grievous "stonings and imprisonments in three or six time before the king came "in, that they might have taken warning, but they would not." Fox, Journal, i. 57.

† Lambert spoke of him with kindness during the debate. "He was "two years my quarter-master, and a very useful person. We parted with "him with very great regret. He was a man of very unblameable life and "conversation." Burton's Diary, i. 33.

- “ holy, holy, holy, is the Lord God of Israel ” They were apprehended by the mayor, and sent to London to be examined by a committee of the parliament. The house, having heard the report of the committee, voted that Naylor was guilty of blasphemy. The next consideration was his punishment: the more zealous moved that he should be put to death, but after a debate which continued during eleven days, the motion was lost by a division of ninety-six to eighty-two. Yet the punishment to which he was doomed ought to have satisfied the most bigoted of his adversaries. He stood with his neck in the pillory for two hours, and was whipped from Palace-yard to the Old Exchange, receiving three hundred and ten lashes in the way. Some days later he was again placed in the pillory, and the letter B for blasphemer was burnt on his forehead, and his tongue was bored with a red-hot iron *. From London the house ordered him to be conducted to Bristol, the place of his offence. He entered at Lambord’s gate, riding on the bare back of a horse with his face to the tail, dismounted at Rockley gate, and was successively whipped in five parts of the city. His admirers, however, were not ashamed of the martyr. On every occasion they attended him bareheaded, they kissed and sucked his wounds, and they chanted with him passages from the Scriptures.
- On his return to London, he was committed to solitary confinement, without pen, ink, or paper, or fire or candle, and with no other sustenance than what he might earn by his own industry. Here the delusion under which he laboured gradually wore away: he acknowledged that his mind had been in darkness, the consequence and punishment of spiritual pride, and declared that, inasmuch as he had given advantage to the evil spirit,

* “ This day I and B went to see Naylor’s tongue bored throug, and him marked on the forehead. He put out his tongue very willingly, but shrank a little when the iron came upon his forehead. He was pale when he came out of the pillory, but brightened after tongue boring. He behaved himself very handsomely and patiently. ” P. 266 in Bunton’s Diary, where the report of these debates on Naylor occupies almost 140 pages.

he took shame to himself. By "the rump parliament" he was afterwards discharged; and the society of friends, by whom he had been disowned, admitted him again on proof of his repentance. But his sufferings had injured his health. In 1660 he was found in a dying state in a field in Huntingdonshire, and shortly afterwards expired*.

While the parliament thus spent its time in the prosecution of an offence which concerned it not, Cromwell anxiously revolved in his own mind a secret project of the first importance to himself and the country. To his ambition, it was not sufficient that he actually possessed the supreme authority, and exercised it with more despotic sway than any of his legitimate predecessors; he still sought to mount a step higher, to encircle his brows with a diadem, and to be addressed with the title of majesty. It could not be, that vanity alone induced him to hazard the attachment of his friends for the sake of mere parade and empty sound. He had rendered the more modest title of protector as great and as formidable as that of king, and, though uncrowned, had treated on a footing of equality with the proudest of the crowned heads in Europe. It is more probable that he was led by considerations of interest. He knew that the nation was weary of change; he saw with what partiality men continued to cling to the old institutions; and he, perhaps, trusted that the establishment of an hereditary monarchy, with a house of peers, though under a new dynasty, and with various modifications, might secure the possession of the crown, not only to himself, but also to his posterity. However that may be, he now made the acquisition of the kingly dignity the object of his policy. For this purpose he consulted first with Thurloe, and afterwards with St. John and Pierpoint†; and the manner in which he laboured to gratify his ambition strik-

1656.

Dec.

9.

* Journals, Dec. 5—17. 1659, Sep. 8. Sewel, 260—273. 283. 293. State Trials, v. 810—842. Merc. Polit. No. 34.

† Thurloe, v. 694. vi. 20. 37.

ingly displays that deep dissimulation and habitual hypocrisy, which form the distinguishing traits of his character.

- The first opportunity of preparing the public mind for this important alteration was furnished by the recent proceedings against Naylor, which had provoked considerable discontent, not on account of the severity of the punishment (for rigid notions of religion had subdued the common feelings of humanity), but on account of the judicial authority exercised by the house—an authority which appeared subversive of the national liberties. For of what use was the right of trial, if the parliament could set aside the ordinary courts of law at its pleasure, and inflict arbitrary punishment for any supposed offence, without the usual forms of inquiry? As long as the question was before the house, Cromwell remained silent; but when the first part of the judgment had been executed on the unfortunate sufferer, he came forward in quality of guardian of the public rights, and
- Dec. concluded a letter to the speaker with these words: “We,
25. “being intrusted in the present government on behalf of
“the people of these nations, and not knowing how far
“such proceedings (wholly without us) may extend in
“the consequences of it, do desire that the house will let
“us know the ground and reason whereupon they have
26. “proceeded.” This message struck the members with amazement. Few among them were willing to acknowledge that they had exceeded their real authority; all dreaded to enter into a contest with the protector. The discussion lasted three days; every expedient that had been suggested was ultimately rejected; and the debate
1657. was adjourned to a future day, when, with the secret
Jan. connivance of Cromwell, no motion was made to resume
1. it *. He had already obtained his object. The thoughts of men had been directed to the defects of the existing constitution, and to the necessity of establishing checks

on the authority of the house, similar to those which existed under the ancient government.

In a few days a bill was introduced which, under the Jan. pretence of providing money for the support of the militia, sought to confirm the past proceedings of the majors-general, and to invest them with legal authority for the future. The protector was aware that the country longed to be emancipated from the control of these military governors; for the attainment of his great object it was his interest to stand well with all classes of people; and, therefore, though he was the author of this unpopular institution, though in his speech at the opening of the parliament he had been eloquent in its praise, though he had declared that, after his experience of its utility, "if the thing were undone, he would do it again;" he now not only abandoned the majors-general to their fate, he even instructed his dependants in the house to head the opposition against them. As soon as the bill was read a first time, his son-in-law, Claypole, who seldom spoke, rose to express his dissent, and was followed by the lord Broghill, known as the confidential counsellor of the protector. The decimation-tax was denounced as unjust, because it was a violation of the act of oblivion, and the conduct of the majors-general was compared to the tyranny of the Turkish bashaws. These officers defended themselves with spirit; their adversaries had recourse to personal crimination*; and the debate, by successive adjournments, occupied the attention of the house during eleven days. In conclusion, 29. the bill was rejected by a numerous majority; and the majors-general, by the desertion of Cromwell, found

* Among others, Harry Cromwell, the protector's nephew, said he was ready to name some among the majors-general who had acted oppressively. It was supposed that these words would bring him into disgrace at court. "But Harry," says a private letter, "goes last night to his highness, and stands to what he had said manfully and wisely; and, to make it appear he spake not without book, had his black book and papers ready to make good what he said. His highness answered him in railletry, and took a rich scarlet cloak from his back, and gloves from his hands and gave them to Harry, who strutted with his new cloak and gloves into the house this day." *Thurloe*, iv. 30.

themselves exposed to actions at law for the exercise of those powers which they had accepted in obedience to his command *.

While this question was still pending, it chanced that a plot against the protector's life, of which the particulars will be subsequently noticed, was discovered and defeated. The circumstance furnished an opportunity favourable to his views, and the re-establishment of "king ship" was mentioned in the house, not as a project originating from him, but as the accidental and spontaneous suggestion of others. Goffe having expressed a hope that parliament would provide for the preservation of the protector's person, Ashe, the member for Somersetshire, exclaimed "I would add something more—that he would be pleased to take upon him the government according to the ancient constitution. That would put an end to these plots, and fix our liberties and his safety on an old and sure foundation." The house was taken by surprise: many reprehended the temerity of the speaker, by many his suggestion was applauded and approved. He had thrown it out to try the temper of his colleagues: and the conversation which it provoked, served to point out to Cromwell the individuals from whom he might expect to meet with opposition †.

Feb. 20. The detection of the conspiracy was followed by an address of congratulation to the protector, who on his part gave to the members a princely entertainment at Whitehall. At their next meeting the question was regularly brought before them by alderman Pack, who boldly undertook a task which the timidity of Whitelock had declined. Rising in his place, he offered to the house a paper, of which he gave no other explanation than that it had been placed in his hands, and "tended to the settlement of the country." Its purport, however, was already known, or conjectured; several

* Journals. Jan 7 9 12 19, 20, 21, 28, 29. Burton's Diary, 310—20.

† Burton's Diary, 364—6.

officers instantly started from their seats, and Pack was violently borne down to the bar. But, on the restoration of order, he found himself supported by Broghill, Whitelock, and Glynn, and, with them, by the whole body of the lawyers and the dependants of the court. The paper was read: it was entitled, "An humble Address and Remonstrance," protesting against the existing form of government, which depended for security on the odious institution of majors-general, and providing that the protector should assume a higher title, and govern, as had been done in times past, with the advice of two houses of parliament. The opposition (it consisted of the chief officers, the leading members in the council, and a few representatives of counties) threw every obstacle in the way of its supporters; but they were overpowered by numbers: the house debated each article in succession, and the whole project was finally Mar. adopted, but with the omission of the remonstrance, and 25. under the amended title of the "Humble Petition and Advice *."

As long as the question was before parliament, Cromwell bore himself in public as if he were unconcerned in the result; but his mind was secretly harassed by the reproaches of his friends and by the misgivings of his conscience. He saw for the first time marshalled against him the men who had stood by him in his different fortunes, and whom he had bound to his interest by marriages and preferment. At their head was Lambert, the commander of the army in England, the idol of the military, and second only to himself in authority. Then came Desborough, his brother-in-law, and major-general in five counties, and Fleetwood, the husband of his daughter Bridget, and lord-deputy of Ireland†. Lam-

* Journals, Jan. 19; Feb. 21, ", 4, 5. Thurloe, vi. 74. 78. Whitelock, 665, 6. Ludlow, ii. 128. Burton's Diary, iii. 160.

† Desborough and Fleetwood passed from the inns of court to the army. The first married Anne, the protector's sister; the second, Bridget, his daughter, and the widow of Ireton. Suspicious of his principles, Cromwell kept him in England, while Henry Cromwell, with the rank of major-general, held the government of Ireland. Noble, i. 103; ii. 243. 336, 8.

bert, at a private meeting of officers, proposed to bring up five regiments of cavalry, and compel the house to confirm both the "instrument," and the establishment of majors general. This bold counsel was approved; but the next morning his colleagues, having sought the Lord in prayer, resolved to postpone its execution till they had ascertained the real intention of the protector; and Lambert, warned by their indecision, took no longer any part in their meetings, but watched in silence the course of events *. The other two, on the contrary, persevered in the most active opposition; nor did they suffer themselves to be cajoled by the artifices of the protector, who talked in their hearing with contempt of the crown as a mere bauble, and of Pack and his supporters as children, whom it might be prudent to indulge with a "rattle †."

Feb.
28.

The marked opposition of these men had given energy to the proceedings of the inferior officers, who formed themselves into a permanent council under the very eyes of Cromwell, passed votes in disapprobation of the proposed alteration, and to the number of one hundred waited on him to acquaint him with their sentiments‡. He replied, that there was a time when they felt no objection to the title of king; for the army had offered it to him with the original instrument of government. He had rejected it then, and had no greater love for it now. He had always been the "drudge" of the officers, had done the work which they imposed on him, and had sacrificed his opinion to theirs. If the present parliament had been called, it was in opposition to his individual judgment; if the bill, which proved so injurious to the majors-general, had been brought into the house, it was contrary to his advice. But the officers had overrated their own strength: the country called for an end to all arbitrary proceedings; the punishment of Naylor proved the necessity of a check on the judicial proceedings of

* Clar. Pap. iii. 333.

† Ludlow, ii. 131.

‡ Thurloe, vi. 93, 4. 101. 219

the parliament, and that check could only be procured by investing the protector with additional authority. This answer made several proselytes, but the majority adhered pertinaciously to their former opinion*.

Not was this spirit confined to the army in all companies men were heard to maintain that, to set up monarchy again was to pronounce condemnation on themselves to acknowledge themselves guilty of all the blood which had been shed to put it down. But nowhere did the proposal excite more cordial abhorrence than in the conventicles of the fifth monarchy men. In their creed the protectorate was an empty, king-ship a sacrilegious assumption of the authority belonging to the only King the Lord Jesus. They were his witnesses foretold in the Apocalypse, they had now slept their sleep of three years and a half: the time was come when it was their duty to rise and avenge the cause of the Lord. In the conventicles of the capital the lion of Judah was chosen for their military device: arms were prepared, and the day of rising was fixed. They amounted, indeed, to no more than eighty men; but they were the champions of Him who 'though they "might be as a worm, would enable them to thrash "mountains." The projects of these fanatics did not escape the penetrating eye of Thurloe, who for more than a year, had watched all their motions and was in possession of all their secrets. Their proceedings were regulated by five persons, each of whom presided in a separate conventicle and kept his followers in ignorance of the names of the brethren associated under the four remaining leaders. A fruitless attempt was made to unite them with the levellers. But the levellers trusted too much to worldly wisdom; the fanatics wished to begin the strife, and to leave the issue to their Heavenly King. The appointed day came: as they proceeded to the place of rendezvous, the soldiers of the Lord were

April
9.

* For this extraordinary speech we are indebted to the industry of Mr. Rutt. Burton's Diary, i. 382.

met by the soldiers of the protector; twenty were made prisoners; the rest escaped, with the loss of their horses and arms, which were seized in the dépôt*.

- In the mean while the new form of government had received the sanction of the house. Cromwell, when it was laid before him, had recourse to his usual arts, openly refusing that for which he ardently longed, and secretly encouraging his friends to persist, that his subsequent acquiescence might appear to proceed from a sense of duty, and not from the lust of power. At first,
- Mar. in reply to a long and tedious harangue from the speaker,
31. he told them of "the consternation of his mind" at the very thought of the burthen; requested time "to ask
- April "counsel of God and his own heart;" and, after a pause
3. of three days, replied that, inasmuch as the new constitution provided the best securities for the civil and religious liberties of the people, it had his unqualified approbation; but as far as regarded himself, "he did not find it in his duty to God and the country to undertake the charge under the new title which was given him†." His friends refused to be satisfied with this
8. answer: the former vote was renewed, and the house, waiting on him in a body, begged to remind him, that it was his duty to listen to the advice of the great council of the three nations. He meekly replied, that he still had his doubts on one point; and that, till such doubts were removed, his conscience forbade him to assent; but that he was willing to explain his reasons, and to hear theirs, and to hope that in a friendly conference the means might be discovered of reconciling their opposite opinions, and of determining on that which might be most beneficial to the country‡.

In obedience to this intimation, a committee of the house was appointed to receive and solve the scruples of the protector. To their surprise, they found him in no

* Whitelock, 675. Thurloe, vi. 163. 184—9.

† Merc. Pol. No. 355. Mr. Butt has discovered and inserted both speeches at length in Burton's Diary, i. 397—416.

‡ Thurloe, i. 751. 756. Parl. Hist. iii. 1493—5. Burton's Diary, i. 417.

haste to enter on the discussion. Sometimes he was indisposed, and could not admit them; often he was occupied with important business; on three occasions they obtained an interview. He wished to argue the question on the ground of expedience. If the power were the same under a protector, where, he asked, could be the use of a king? The title would offend men, who, by their former services, had earned the right to have even their prejudices respected. Neither was he sure that the re-establishment of royalty might not be a falling off from that cause in which they had engaged, and from that Providence by which they had been so marvellously supported. It was true, that the Scripture sanctioned the dignity of king; but to the testimony of Scripture might be opposed "the visible hand of God," who, in the late contest, "had eradicated kingship." It was gravely replied, that Protector was a new, King an ancient, title; the first had no definite meaning, the latter was interwoven with all our laws and institutions; the powers of one were unknown and liable to alteration, those of the other ascertained and limited by the law of custom and the statute law. The abolition of royalty did not originally enter into the contemplation of parliament—the objection was to the person, not to the office—it was afterwards effected by a portion only of the representative body; whereas, its restoration was now sought by a greater authority—the whole parliament of the three kingdoms. The restoration was, indeed, necessary, both for his security and theirs; as by law all the acts of a king in possession, but only of a king, are good and valid. Some there were who pretended that king and chief magistrate were synonymous; but no one had yet ventured to substitute one word for the other in the Scriptures, where so many covenants, promises, and precepts are annexed to the title of king. Neither could the "visible hand of God" be alleged in the present case; for the visible hand of God had eradicated the government by a single person as clearly as that by a

king Cromwell promised to give due attention to these arguments to his confidential friends he owned that his objections were removed, and, at the same time, to enlighten the ignorance of the public, he ordered a report of the conference to be published *
 April 20

- The protector, however, was not one of those minds that resolve quickly and execute promptly. He seldom went straight forwards to his object, but pursued a winding circuitous route. He was accustomed to view and review the question in all its bearings and possible consequences, and to invent fresh causes of delay, till he occasionally incurred the suspicion of irresolution and timidity. Instead of returning a plain and decisive answer, he sought to protract the time by requesting the sense of the house on different passages in the petition, on the intended amount of the annual income, and on the ratification of the ordinances issued by himself, and of the acts passed by the little parliament. By this contrivance the respite of a fortnight was obtained, during which he frequently consulted with Bioghill, Pierpoint, Whitelock, Wolsey, and Thurloe. At length it was whispered at court that the protector had resolved to accept the title and immediately Lambert, at Wood, and Desborough made to him in their own names and those of several officers, the unpleasant declaration, that they must resign their commissions, and sever themselves from his counsels and service for ever. His irresolution returned: he had promised the house to give a final answer the next morning; in the morning he postponed it to five in the evening, and at that hour
- May 6.
 7.

* See commonly assumed to be the most Ancient and Equal Form of Government See 1000 Waller's Remarks Historical and Antiquarian 1:1-7 But in Drury April 433 Thurloe, v. 210 Whitelock 363 Journals, April 21

† Every witness in court of delay wonders at the delay Thurloe, vi. 243 Als. Clarendon is in it

‡ "In the concerns," says Whitelock, "Living said his great sin was, he would be exceeding friendly with us and by way of a sin would make verse with us, and everyone must try his sin. He commonly called it a curse, a curse, and a curse, and would row and then take tobacco himself. Then he would fall upon his sermons and great business." 606

to the following day. The officers observed, and resolved to profit by, the impression which they had made; and early in the morning colonel Mason, with six-and-twenty companions, offered to the parliament a petition, in which they stated that the object of those with whom the measure originated, was the ruin of the lord-general and of the best friends of the people, and conjured the house to support the good old cause in defence of which the petitioners were ready to sacrifice their lives. This bold step subdued the reluctance of the protector. He abandoned the lofty hopes to which he had so long, so pertinaciously clung, despatched Fleetwood to the house to prevent a debate, and shortly afterwards summoned the members to meet him at Whitehall. Addressing them with more than his usual embarrassment, he said, that neither his own reflections nor the reasoning of the committee had convinced him that he ought to accept the title of king. If he were, he should accept it doubtfully; if he did it doubtfully, it would not be of faith; and if it were not of faith, it would be a sin. "Wherefore," he concluded, "I cannot undertake this government with that title of king, and this is mine answer to this great and weighty business *."

Thus ended the mighty farce which for more than two months held in suspense the hopes and fears of three nations. But the friends of Cromwell resumed the subject in parliament. It was observed that he had not refused to administer the government under any other title; the name of king was expunged for that of protector; and with this and a few more amendments, the "humble petition and advice" received the sanction of the chief magistrate. The inauguration followed. On the platform, raised at the upper end of Westminster-hall, and in front of a magnificent chair of state, stood the protector; while the speaker, with his assistants, invested him with a purple mantle lined with

* Thurloe, vi. 261. 67. 81. 91. Journals, Apr. 21—May 12. Parl. Hist. 11 1498—1502. Ludlow, ii. 151. Clar. Papers, iii. 312.

sentatives. To him was given the power of nominating the members of the "other house" (he dared not yet term it the house of lords): but, in the first instance, the persons so nominated were to be approved by the house of representatives, and afterwards by the other house itself. The privilege of voting by proxy was abolished, and the right of judicature restrained within reasonable limits. In the appointment of councillors, the great officers of state, and the commanders of the forces, many of the restrictions sought to be introduced by the long parliament were enforced. In point of religion, it was enacted that a confession of faith should be agreed upon between the protector and the two houses; but that dissenters from it should enjoy liberty of conscience, and the free exercise of their worship, unless they should reject the mystery of the Trinity, or the inspiration of the Scriptures, or profess prelatie, or popish, or blasphemous doctrines. The yearly revenue was fixed at 1,300,000*l.*, of which no part was to be raised by a land tax, and of this sum, one million was devoted to the support of the army and navy, and 300,000*l.* to the expenses of the civil list; but, on the remonstrance of the protector, that with so small a revenue it would be impossible to continue the war, an additional grant of 600,000*l.* was voted for the three following years. After the inauguration, the commons adjourned during six months, that time might be allowed for the formation of the 'other house*.'

Having brought this important session of parliament to its conclusion, we may now revert to the miscellaneous occurrences of the year. 1°. Had much credit been given to the tales of spies and informers, neither Cromwell nor his adversary, Charles Stuart, would have

* Whitelock, 657 C3. Parl Hist iii 1502—11. In a catalogue printed at the time, the names were given of 182 members of this parliament who it was pretended "were sons, kinsmen, servants, and otherwise engaged" unto, and had places of profit, offices, salaries, and advantages, under "the protector," sharing annually among them out of the public money the incredible sum of 1,016,31*l.* 16*s* 8*d*.

passed a day without the dread of assassination. But they knew that such persons are wont to invent and exaggerate, in order to enhance the value of their services ; and each had, therefore, contented himself with taking no other than ordinary precautions for his security*. Cromwell, however, was aware of the fierce, unrelenting disposition of the levellers : the moment he learned that they were negotiating with the exiled king and the Spaniards, he concluded that they had sworn his destruction ; and to oppose their attempts on his life, he selected one hundred and sixty brave and trusty men from the different regiments of cavalry, whom he divided into eight troops, directing that two of these troops in rotation should be always on duty near his person†. Before the end of the year, he learned that a plot had actually been organized, that assassins had been engaged, and that his death was to be the signal for a simultaneous rising of the levellers and royalists, and the sailing of a hostile expedition from the coast of Flanders. The author of this plan was Sexby ; nor will it be too much to assert that it was not only known, but approved by the advisers of Charles at Bruges. They appointed an agent to accompany the chief of the conspirators ; they prepared to take every advantage of the murder ; they expressed an unfeigned sorrow for the failure of the attempt. Indeed, Clarendon, the chief minister (he had lately been made lord chancellor), was known to hold, that the assassination of a successful rebel or usurper was an act of justifiable and meritorious loyalty‡.

Sexby had found a fit instrument for his purpose in

* Thirloe's voluminous paper abounded with offers and warnings concerning this subject.

† Thirloe is 56. Cuth, Letters ii. 81. Their pay was four and six pence per day. Ibid. In addition, if we may believe Clarendon, he had always several beds prepared in different chambers, so that no one knew in what particular room he would pass the night. Hist. in 646.

‡ That both Charles and Clarendon knew of the design, and interested themselves in its execution is plain from several letters. (Clarendon Pap. in 311 & 5 24 27, 31 & 5.) Nor can there be a doubt that Clarendon approved of such murders. It is indeed, true that, speaking of the murder of Ascham, when he was at Madrid, he says that he and his colleague, lord Cottington,

Syndercombe, a man of the most desperate courage, formerly a quarter-master in the army in Scotland and dismissed on account of his political principles. Having admitted a man of the name of Cecil as his associate, he procured seven guns which would carry a number of balls, hired lodgings in places near which the protector was likely to pass, bribed Took, one of the life-guardsmen, to give information of his motions, and bought the fleetest horses for the purpose of escape. Yet all his designs were frustrated, either by the multitude of the spectators, or the vigilance of the guards, or by some unforeseen and unlucky accident. At the persuasion of Wildman he changed his plan; and on the 9th of January, about six in the evening, entering Whitehall with his two accomplices, he unlocked the door of the chapel, deposited in a pew a basket filled with inflammable materials and lighted a match which it was calculated, would burn six hours. His intention was that the fire should break out about midnight; but Took had already revealed the secret to Cromwell and all three were apprehended as they closed the door of the chapel. Took saved his life by the discovery, Cecil by the confession of all that he knew. But Syndercombe had wisely concealed from them the names of his associate and the particulars of the plan. They knew not that certain persons within the palace had undertaken to murder the protector during the confusion likely to be caused by the conflagration, and that such measures had been taken as to render his escape almost impossible. Syndercombe was tried; the judges held that the title of protector was in law synonymous with that of king, and he was condemned to suffer the penalties of high treason. His ob-

^a he died it (Clu Hist m 501) Yet from his private correspondence, it appears that he wrote papers in defence of the murder. (Clu Pm m 21 25) he commended them as "brave fellows, without intention," (ibid 235 6) and observed to certain Nicholas that it was a sad and grievous thing that the princess royal had not supplied Middleton with money "but worse and baser than that any man should appear in any part beyond sea under the character of an agent from the rebels, and not have his throat cut." Ibid 144, 1652 Feb 26

Feb. 13. stinate silence deflected the anxiety of the protector to procure further information respecting the plot; and Syndercombe, whether he laid violent hands on himself, or was despatched by the order of government, was found dead in his bed, a few hours before the time appointed for his execution⁴.

2^c. The failure of this conspiracy would not have prevented the intended invasion by the royal army from Flanders, had not Charles been disappointed in his expectations from another quarter. No reasoning, no entreaty, could quicken the characteristic slowness of the Spanish ministers. Neither fleet nor money was ready; the expedition was postponed from month to month; the season passed away, and the design was deferred till the return of the long and darksome nights of winter. But Sexby's impatience refused to submit to these delays; his fierce and implacable spirit could not be satisfied without the life of the protector. A tract had been recently printed in Holland, entitled "Killing no Murder," which, from the powerful manner in which it was written, made a deeper impression on the public mind than any other literary production of the age. After an address to Cromwell, and another to the army, both conceived in a strain of the most potent and sarcastic irony, it proceeds to discuss the three questions. Whether the lord-protector be a tyrant? Whether it be lawful to do justice on him by killing him? and, Whether this, if it be lawful, will prove of

* See *Thames* v. 774-7, xi. 7, 5; *Mere Polit* No 245; *Bath's*, *Ellen* 384; *Clarendon Pip* iii. 324, 5, 6, 7; *Clarendon Hist* iii. 616 and the several authorities copied in the *State Trials* v. 842-8, 1. The body was opened, and the surgeons declared that there existed no trace of poison in the stomach, but that the brain was inflamed and distended with blood, in a greater degree than is usual in apoplexy or any known disease. The jury, by the direction of the Lord chief justice, returned a verdict that "he, the said Miles Syndercombe, certain poisoned powder through the nose of him, the said Miles, into the head of him, the said Miles, feloniously, wilfully, and of malice aforethought did smite and drive by reason of which smiting and driving so is aforesaid into the head of him the said Miles, the said Miles himself did mortally poison," &c. *Ibid* 859. The levellers and royalists maintained that he was strangled by order of Cromwell. *Clarendon* iii. 647.

benefit to the Commonwealth? Having determined each question in the affirmative, it concludes with an eulogium on the bold and patriotic spirit of Syndercombe, the rival of Brutus and Cato, and a warning that “*longus illum sequitur ordo idem petentium decus;*” that the protector’s own muster-roll contains the names of those who aspire to the honour of delivering their country; that his highness is not secure at his table or in his bed; that death is at his heels wherever he moves, and that though his head reaches the clouds, he shall perish like his own dung, and they that have seen him shall exclaim, Where is he? Of this tract thousands of copies were sent by Sexby into England: and, though many were seized by the officers, yet many found their way into circulation*. Having obtained a sum of one thousand four hundred crowns, he followed the books to organize new plots against the life of the protector. But by this time he was too well known. All his steps in Holland were watched; his departure for England was announced; emissaries were despatched in every direction; and within a few weeks he was apprehended and incarcerated in the Tower. There he discovered, probably feigned, symptoms of insanity. To questions respecting himself he answered with apparent frankness and truth, that he had intrigued with the Spanish court, that he had supplied Syndercombe with money, that he had written the tract, “*Killing no Murder;*” nor was there, he said, any thing unlawful in these things, for the protectorate had not then been established by any authority of parliament; but, whenever he was interrogated respecting the names and plans of his associates, his answers became wild and incoherent, more calculated to mislead than to inform, to create suspicion of the friends, than to detect the machinations of the enemies, of the government. He was never brought to

July
25.Oct.
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* Thurloe, vi. 315.

trial, but died, probably by violence, in the sixth month of his imprisonment*.

30. During the winter Blake continued to blockade Cadiz: in spring he learned that the Plate fleet from Peru had sought an asylum in the harbour of Santa Cruz in the island of Teneriffe. There the merchantmen, ten in number, were moored close to the shore in the form of a crescent; while the six galleons in their front formed a parallel line at anchor in deeper water. The entrance of the bay was commanded by the guns of the castle; seven batteries erected at intervals along the beach protected the rest of the harbour, and these were connected with each other by covered ways lined with musketry. So confident was the governor when he surveyed these preparations, that, in the pride of his heart, he desired a Dutch captain to inform the English admiral that he was welcome to come whenever he durst. Blake came, examined the defences, and, according to custom, proclaimed a solemn fast. At eight
Apr. 20. the next morning Sturmer took the lead in a frigate; the admiral followed in the larger ships; and the whole fleet availing itself of a favourable wind, entered the harbour under a tremendous shower of balls and shells. Each vessel immediately fell into its allotted station; and, while some engaged the shipping, the rest directed their fire against the batteries. The Spaniards, though fewer in number of ships, were superior in that of men; their hopes were supported by the aid which they received from the land: and during four hours they fought

* Clarendon Papers, iii. 322-33 337. Merc. Pol. 39. Thuroloze, vi. 33, 182-315-425-560-825. Clarendon assures us that Sexby was an illiterate person which is sufficient proof that he was not the real author of the tract, though he acknowledged it for his own in the tower, probably to deceive the protector. The writer, whoever he was, kept his secret, at least at first: for Clarendon writes to secretary Nicholas, that he cannot imagine who could write it (Clarendon Papers, 111. 343). By most historians it has been attributed to Captain Titus, nor shall we think this improbable, if we recollect that Titus was, in Holland, constantly in the company of Sexby, till the departure of the latter for England. Ibid. 331. 335. Evelyn asserts it in his Diary, ii. 210. 510.

with the most determined bravery. Driven from the galleons, the crews retreated to the second line of merchantmen, and renewed the contest till they were finally compelled to save themselves on the shore. At two in the afternoon every Spanish ship was in possession of the English, and in flames. Still there remained the difficulty of working the fleet out of the harbour in the teeth of the gale. About sunset they were out of reach of the guns from the forts: the wind, by miracle, as Blake persuaded himself, veered to the southwest, and the conquerors proceeded triumphantly out to sea. This gallant action, though it failed of securing the treasure which the protector chiefly sought, raised the reputation of Blake in every part of Europe. Unfortunately the hero himself lived not to receive the congratulations of his country. He had been during a great part of three years at sea: the scurvy and dropsy wasted his constitution; and he expired in his fifty-ninth year, Aug. 7. as his ship, the *St. George*, entered the harbour of Plymouth*.

Blake had served with distinction in the army during the civil war; and the knowledge of his talents and integrity induced the parliamentary leaders to entrust him with the command of the fleet. For maritime tactics he relied on the experience of others: his plans and his daring were exclusively his own. He may claim the peculiar praise of having dispelled an illusion which had hitherto cramped the operations of the British navy—a persuasion that it was little short of madness to expose a ship at sea to the fire from a battery on shore. The victories of Blake at Tunis and Santa Cruz served to establish the contrary doctrine; and the seamen learned from his example to despise the danger which had hitherto been deemed so formidable. Though Cromwell prized his services, he doubted his attachment; and a suspicion existed that the protector did not regret the

* Vaughan, ii. 176. Heath, 391. 402. Echard, 725. Journals, May 28, 29.

death of one who professed to fight for his country, not for the government. But he rendered that justice to the dead, which he might perhaps have refused to the living, hero. He publicly acknowledged his merit, honouring his bones with a funeral at the national expense, and ordering them to be interred at Westminster, in Henry the Seventh's chapel. In the next reign the coffin was taken from the vault, and deposited in the church-yard.

4. The reader is aware of Cromwell's anxiety to form a more intimate alliance with Louis XIV. For this purpose Lockhart, one of the Scottish judges, who had married his niece, and received knighthood at his hand, proceeded to France. After some discussion, a treaty, to last twelve months, was concluded*; and sir John Reynolds landed at Calais with an auxiliary force of six thousand men, one half in the pay of the king, the other half in that of the protector. But as an associate in the war, Cromwell demanded a share in the spoil, and that share was nothing less than the possession of Mardyke and Dunkirk, as soon as they could be reduced by the allies. To this proposal the strongest opposition had been made in the French cabinet. Louis was reminded of the injuries which the English, the natural enemies of France, had inflicted on the country in the reigns of his predecessors. Dunkirk would prove a second Calais; it would open to a foreign foe the way into the heart of his dominions. But he yielded to the superior wisdom or ascendancy of Mazarin, who replied that, if France refused the offer, it would be accepted with a similar sacrifice by Spain; that, supposing the English to be

Sept.
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* Thurloe, vi. 63 86. 115. 124. To avoid disputes, the treaty was written in the Latin language, and the precedence was given to Louis in one copy, to Cromwell in the other. In the diplomatic collection of Dumont, vi. part ii. 178, is published a second treaty, said to have been signed on May 9th, N. S. If it were genuine, it would disclose gigantic projects of aggrandizement on the part of the two powers. But it is clearly a forgery. We have despatches from Lockhart dated on the day of the pretended signature, and other despatches for a year afterward; yet none of them make the remotest allusion to this treaty; several contain particulars inconsistent with it.

established on that coast at all, it was better that they should be there as friends than as enemies: and that their present co-operation would enable him either to drive the Spaniards out of the Netherlands, or to dictate to them the terms of peace*. The combined force was placed under the command of the celebrated Turenne, who was opposed by the Spaniards under Don Juan, with the British exiles, commanded by the duke of York, and the French exiles, by the prince of Condé. The English auxiliaries, composed of veteran regiments, supported the reputation of their country by their martial appearance and exemplary discipline; but they had few opportunities of displaying their valour; and the summer was spent in a tedious succession of marches and countermarches, accompanied with no brilliant action nor important result. Cromwell viewed the operations of the army with distrust and impatience. The French ministry seemed in no haste to redeem their pledge with respect to the reduction of Dunkirk, and to his multiplied remonstrances uniformly opposed this unanswerable objection, that, in the opinion of Turenne, the best judge, the attempt in the existing circumstances must prove ruinous to the allies. At last he would brook no longer delay; the army marched into the neighbourhood of the town, and the fort of Mardyke capitulated after a siege of three days. But the Spaniards Sept. 23. lay strongly entrenched behind the canal of Bergues, between Mardyke and Dunkirk; and by common consent the design was abandoned, and the siege of Gravelines substituted in its place. Scarcely, however, had 27. the combined army taken a position before it, when the sluices were opened, the country was inundated, and Turenne dismissed his forces into winter quarters. Mardyke received a garrison, partly of English, and partly of French, under the command of sir John Reynolds; but that officer in a short time incurred the sus-

picion of the protector. The duke of York, from his former service in the French army, was well known to some of the French officers. They occasionally met and exchanged compliments in their rides, he from Dunkirk, they from Mardyke. By one of them Reynolds solicited permission to pay his respects to the young prince. He was accompanied by Crew, another officer: and, though he pretended that it was an accidental civility, found the opportunity of whispering an implied offer of his services in the ear of the duke. Within a few days he received an order to wait on the protector in London in company with colonel White, who had secretly accused him: but both were lost on the Godwin Sands, through the ignorance or the stupidity of the captain[†].

Dec.
5.

At home the public attention was absorbed by a new and most interesting spectacle. The parliament met on the day to which it had been adjourned, but it was now divided according to the ancient form into two houses. Sixty-two individuals had been summoned to the upper house, and the writs, as they were copies of those formerly issued by the sovereign were held to confer in like manner the privileges of an hereditary peerage, subject to certain exceptions specified in the "petition and advice &c." The commons, at the call of the usher of the black rod, proceeded to the house of lords, where they found his highness seated under a canopy of state. His speech began with the ancient address: "My lords and gentlemen of the house of commons." It was short, but its brevity was compensated by its piety, and after an exposition of the eighty fifth psalm, he referred his two houses for other particulars to Fiennes, the lord-keeper, who, in a long and tedious harangue, praised and defended the new institutions. After the departure of the commons, the lords spent their time in inquiries into the privileges of their house. Cromwell had summoned his two sons, Richard and Henry, seven peers of

1658.
Jan.
20.

* Thurloe, vi. 231 287. 426. 512. 538 542. 580. 637. 665 676 731. Memoirs of James, i. 31,—328.

† Thurloe vi 752.

royal creation, several members of his council, some gentlemen of fortune and family, with a due proportion of lawyers and officers, and a scanty sprinkling of persons known to be disaffected to his government. Of the ancient peers two only attended, the lords Eure and Falconberg, of whom the latter had recently married ¹⁶⁵⁷ Mary, the protector's daughter, and of the other mem- ^{Nov}bers, nine were absent through business or disinclination. ^{19.} As their journals have not been preserved, we have little knowledge of their proceedings*.

In the lower house, the interest of the government had declined by the impolitic removal of the leading members to the house of lords, and by the introduction of those who, having formerly been excluded by order of Cromwell, now took their seats in virtue of the article which reserved to the house the right of inquiry into the qualifications of its members. The opposition was led by two men of considerable influence and undaunted resolution, Hazlerig and Scot. Both had been excluded at the first meeting of this parliament, and both remembered the affront. To remove Hazlerig from a place where his experience and eloquence rendered him a formidable adversary, Cromwell had called him to the upper house; but he refused to obey the writ, and took his seat among the commons†. That a new house was to be called according to the articles of the "petition and advice," no one denied; but who, it was asked, made its members lords? who gave them the privileges

Journals, Jan 7. 20 Whitelocke, 666 668 The speech of Fiennes is reported in the Journals, Jan 25 See the names and characters of those who attended, in "A Second Narrative of the Late Parliament (so called) &c, printed in the fifth year of England's Slavery "under its new Monarchy, 1658" "They spent their time in little matters, such as choosing of committees, and among other things, to consider of the privileges and jurisdiction of their house, (good wise souls!) "before they knew what their house was, or should be called." Ibid 7. The peers who refused to attend, were the earls of Mulgrave, Warwick, and Manchester, the viscount Say and Sele, and the lord Wharton

† Hazlerig made no objection to the oath which bound him to be faithful to the protector. But the sense which he attached to it is singular: "I will be faithful," said he, "to the lord protector's person I will murder no man." Burton's Diary, ii 347.

of the ancient peerage? who empowered them to negative the acts of that house to which they owed their existence? Was it to be borne that the children should assume the superiority over their parents; that the nominees of the protector should control the representatives of the people, the depositaries of the supreme power of the nation? It was answered that the protector had called them lords; that it was the object of the "petition and advice" to re-establish the "second estate:" and that, if any doubt remained, it were best to amend the "instrument," by giving to the members of the other house the title of lords, and to the protector that of king. Cromwell sought to soothe these
 Jan. 25. angry spirits. He read to them lectures on the benefit, the necessity, of unanimity. Let them look abroad. The papists threatened to swallow up all the protestants of Europe. England was the only stay, the last hope of religion. Let them look at home: the cavaliers and the levellers were combined to overthrow the constitution; Charles Stuart was preparing an invasion: and the Dutch had ungratefully sold him certain vessels for that purpose. Dissension would inevitably draw down ruin on themselves, their liberties, and their religion. For himself, he called God, angels, and men, to witness that he sought not the office which he held. It was forced upon him: but he had sworn to execute its duties, and he would perform what he had sworn, by preserving to every class of men their just rights, whether civil or religious*. But his advice, and entreaties, and

* Mr. Rutt has added this speech to Burton's Diary, ii. 351—371. I may remark that, 1°. the protector now addressed the members by the ambiguous style of "my lords and gentlemen of the two houses of parliament." 2°. That he failed in proving the danger which, as he pretended, menaced protestantism. If, in the north, the two protestant states of Sweden and Denmark were at war with each other, more to the south the catholic states of France and Spain were in the same situation. 3°. That the vessels sold by the Dutch were six flutes which the English cruisers afterwards destroyed. 4°. That from this moment he was constantly asserting with oaths that he sought not his present office. How could he justify such oaths in his own mind? Was it on the fallacious ground that what he in reality sought was the office of king, not of protector?

menaces, were useless. The judges repeatedly brought Jan. messages from "the lords to the commons," and as 22. often were told, that "that house would return an an- Feb. 3. swer by messengers of their own." Instead, however, of returning answers, they spent their whole time in debating what title and what rights ought to belong to the other house*.

Never, perhaps, during his extraordinary career, was Cromwell involved in difficulties equal to those which surrounded him at this moment. He could raise no money without the consent of parliament, and the pay of the army in England was five, and of that in Ireland seven months, in arrear; the exiled king threatened a descent from the coast of Flanders, and the royalists throughout the kingdom were preparing to join his standard; the leaders of opposition in parliament had combined with several officers in the army to re-establish the commonwealth, "without a single person or house of lords;" and a preparatory petition for the purpose of collecting signatures was circulated through the city. Cromwell consulted his most trusty advisers, of whom some suggested a dissolution, others objected the want of money, and the danger of irritating the people. Perhaps he had already taken his resolution, though he kept it a secret within his own breast; perhaps it might be the result of some sudden and momentary impulse†; but one morning he unexpectedly threw himself into a 4. carriage with two horses standing at the gates of Whitehall; and, beckoning to six of his guards to follow, ordered the coachman to drive to the parliament house. There he revealed his purpose to Fleetwood, and, when that officer ventured to remonstrate, declared by the living God that he would dissolve the parliament. Sending for the commons, he addressed them in an angry

* Journals, Jan. 25. 9; Feb. 1. 3. Burton's Diary, ii. 371—461. Thurston, i. 766; vi. 767.

† "Something happening that morning that put the protector into a rage and passion near unto madness, as those at Whitehall can witness." Second Narrative, p. 8.

and expostulating tone. "They," he said, "had placed him in the high situation in which he stood; he sought it not; there was neither man nor woman treading on English ground who could say he did. God knew that he would rather have lived under a wood side, and have tended a flock of sheep, than have undertaken the government. But, having undertaken it at their request, he had a right to look to them for aid and support. Yet some among them, God was his witness, in violation of their oaths, were attempting to establish a commonwealth interest in the army; some had received commissions to enlist men for Charles Stuart; and both had their emissaries at that moment seeking to raise a tumult, or rather a rebellion in the city. But he was bound before God to prevent such disasters; and, therefore," he concluded, "I think it high time that an end be put to your sitting; and I do dissolve this parliament; and let God judge between me and you." "Amen, amen," responded several voices from the ranks of the opposition¹.

This was the fourth parliament that Cromwell had broken. The republicans indulged their resentment in murmurs, and complaints, and menaces; but the protector, secure of the fidelity of the army, despised the feeble efforts of their vengeance, and encouraged by his vigour the timidity of his counsellors. Strong patrols of infantry and cavalry paraded the streets, dispersing every assemblage of people in the open air, in private houses, and even in conventicles and churches for the purpose, or under the pretext, of devotion. The colonel-major and several captains of his own regiment were cashiered²; many of the levellers and royalists were

Feb.
11.

¹ Journ. Feb. 4. Thuroloe, vi. 779, 779 781 782. Parl. Hist. in 1525. By the oath, which Cromwell reproaches them with violating, they had sworn "to be true and faithful to the lord protector as chief magistrate, and not to contrive, design, or attempt anything against his person or lawful authority."

² "I," says Hacker, "that had served him fourteen years, and had commanded a regiment seven years, without any trial or appeal, with the breath of his nostrils I was ousted, and lost not only my place but a

arrested and imprisoned, or discharged upon bail; and the lord mayor, aldermen, and common-council, received from Cromwell himself an account of the danger which threatened them from the invasion meditated by Charles Stuart, and a charge to watch the haunts of the discontented, and to preserve the tranquillity of the city. At the same time his agents were busy in procuring loyal and affectionate addresses from the army, the counties, and the principal towns; and these, published in the newspapers, served to overawe his enemies, and to display the stability of his power*.

The apprehension of invasion, to which Cromwell so frequently alluded, was not entirely groundless. On the return of the winter the royalists had reminded Charles of his promise to the preceding spring, the king of Spain furnished an aid of one hundred and fifty thousand crowns: the harbour of Ostend was selected for the place of embarkation; and arms, ammunition, and transports were purchased in Holland. The prince himself, mastering for a while his habits of indolence and dissipation, appeared eager to redeem his pledge†; but the more prudent of his advisers conjured him not to risk his life on general assurances of support: and the marquess of Ormond, with the most enthusiastic loyalty, offered to ascertain on the spot the real objects and resources of his adherents. Pretending to proceed on a mission to the court of the duke of Neuburg, that 1658. nobleman, accompanied by O'Neil, crossed the sea, and landed in disguise at Westmarsh on the coast of of Essex, and hastened to London. There, continually Jan. changing his dress and lodgings, he contrived to elude the

"de a friend to boot. Five captains under my command were outed with me, because they could not say that was a house of lords." Burton's Diary, ii. 166.

* Thindloc, vi. 778. 781. 788, vii. 4. 21. 32. 49. 71. Paul Hist. iii. 1529.

† Still Ormond says to Hyde: "I fear his immoderate delight in empty, effeminate, and vulgar conversations is become an irresistible part of his nature, and will never suffer him to imitate his own designs, and other's actions, with that spirit which is requisite for his quality, and much more to his fortune." 27 Jan. 1658. Clarendon 387.

suspicion of the spies of government, and had opportunities of conversing with men of different parties; with the royalists, who sought the restoration of the ancient monarchy; with the levellers, who were willing that the claims of the king and the subject should be adjusted in a free parliament; with the moderate presbyterians, who, guided by the earls of Manchester and Denbigh, with Rossiter and sir William Waller, offered to rely on the royal promises; and the more rigid among the same religionists, who, with the lords Say and Roberts at the head, demanded the confirmation of the articles to which the late king had assented in the Isle of Wight. But from none could he procure any satisfactory assurances of support. They were unable to perform what they had promised by their agents. They had not the means, nor the courage, nor the abilities, necessary for the undertaking. The majority refused to declare themselves, till Charles should have actually landed with a respectable force; and the most sanguine required a pledge that he would be ready to sail the moment he heard of their rising, because there was no probability of their being able, without foreign aid, to make head against the protector beyond the short space of a fortnight*.

In these conferences Ormond frequently came in contact with sir Richard Willis, one of the sealed knot, and standing high in the confidence of Charles†. Willis uniformly disapproved of the attempt. The king's enemies, he observed, were now ready to unsheathe their swords against each other; but let the royal banner be once unfurled, and they would suspend their present quarrel, to combine their efforts against the common enemy. Yet the author of this prudent advice was, if we may

* Carte's Letters, ii 112. 124 130 (Clarendon, 384 392 395. Thurloe, i 718)

† The knot consisted of Willis, colonel Russell, sir William Compton, Edward Villiers, and Mr Brodenick, according to several letters in Clarendon; according to the duke of York, of the four first, lord Belasyse, and lord Loughborough. James, i. 370.

believe Clarendon, a traitor, though a traitor of a very singular description. He is said to have contracted with Cromwell, in consideration of an annual stipend, to reveal to him the projects of the king and the royalists; but on condition that he should have no personal communication with the protector, that he should never be compelled to mention any individual whose name he wished to keep secret, and that he should not be called upon to give evidence, or to furnish documents, for the conviction of any prisoner*. It is believed that for several years he faithfully complied with this engagement; and when he thought that Ormond had been long enough in London, he informed Cromwell of the presence of the marquess in the capital, but at the same moment conveyed advice to the marquess that orders had been issued for his apprehension. This admonition Feb. 15. had its desired effect. Ormond stole away to Shoreham in Sussex, crossed over to Dieppe, concealed himself two months in Paris, and then, travelling in disguise through France to Geneva, that he might escape the notice of Lockhart and Mazarin, returned along the Rhine to join his master in Flanders†.

There was little in the report of Ormond to give encouragement to Charles: his last hopes were soon afterwards extinguished by the vigilance of Cromwell. The moment the thaw opened the ports of Holland, a squadron of English frigates swept the coast, captured three, Mar. 15.

* This is Clarendon's account. In Thurloe, i. 737, is a paper signed John Foster, supposed to be the original offer made to Thurloe by Willis. He there demands that no one but the protector should be acquainted with his employment: that he should never be brought forward as a witness; that the pardon of one dear friend should be granted to him; and that he should receive 50*l.* with the answer, 500*l.* on his first interview with Thurloe, and 500*l.* when he put into their hands any of the conspirators against Cromwell's person.

† Clar. Hist. iii. 614—618. 667. Clarendon's narrative is so frequently inaccurate, that it is unsafe to give credit to any charge on his authority alone; but in the present instance he relates the discovery of the treachery of Willis with such circumstantial minuteness, that it requires a considerable share of incredulity to doubt of its being substantially true; and his narrative is confirmed by James, ii., (Mem. i. 370,) and other documents to be noticed hereafter.

April and drove on shore two flutes destined for the expedition,
 14. and closely blockaded the harbour of Ostend*. The design was again postponed till the winter; and the king resolved to solicit in person a supply of money at the court of the Spanish monarch. But from this journey he was dissuaded both by Hyde and by the cardinal de Retz, who pointed out to him the superior advantage of his residence in Flanders, where he was in readiness to seize the first propitious moment which fortune should offer. In the mean time the cardinal, through his agent in Rome, solicited from the pope pecuniary aid for the king, on condition that in the event of his ascending the throne of his fathers he should release the catholics of his three kingdoms from the intolerable pressure of the penal laws†.

The transactions of this winter, the attempt of Syn-
 dercombe, the ascendancy of the opposition in parliament, and the preparations of the royalists to receive the exiled king, added to habitual indisposition, had soured and irritated the temper of Cromwell. He saw that to bring to trial the men who had been his associates in the cause might prove a dangerous experiment; but there was nothing to deter him from wreaking his vengeance on the royalists, and convincing them of the danger of trespassing any more on his patience by their annual projects of insurrection. In every county all who had been denounced, all who were even suspected, were put under arrest; a new high court of justice was established according to the act of 1656; and Sir Henry Slingsby, Dr. Hewet, and Mr. Mordaunt were selected for the three first victims. Slingsby, a catholic gentleman and a prisoner at Hull, had endeavoured to corrupt the fidelity of the officers in the garrison: who, by direction of the
 April governor, amused the credulity of the old man, till he
 2. had the imprudence to deliver to them a commission

* Carte's Letters, ii. 126. 135. Clar. Papers, iii. 396.

† Carte's Letters, ii. 136—142. 145. Clar. Pap. iii. 401.

from Charles Stuart *. Dr. Hewet was an episcopalian divine, permitted to preach at St. Gregory's, and had long been one of the most active and useful of the royal agents in the vicinity of the capital. Mordaunt, a younger brother of the earl of Peterborough, had also displayed his zeal for the king, by maintaining a constant correspondence with the marquess of Ormond, and distributing royal commissions to those who offered to raise men in favour of Charles. Of the truth of the charges brought against them, there could be no doubt; and, aware of their danger, they strongly protested against the legality of the court, demanded a trial by jury, and appealed to Magna Charta, and several acts of parliament. Slingsby at last pleaded, and was condemned; Hewet, under the pretence that to plead was to betray the liberties of Englishmen, stood mute; and his silence, according to a recent act, was taken for a confession of guilt. Mordaunt was more fortunate. Stapeley, who, to save his own life, swore against him, proved an unwilling witness; and Mallory, who was to have supported the evidence of Stapeley, had four days before been bribed to abscond. This deficiency was gladly laid hold of by the majority of the judges, who gave their opinion that his guilt was not proved; and, for similar reasons, some days later acquitted two other conspirators, Sir Humphrey Bennet and captain Woodcock. The fact is, they were weary of an office which exposed them to the censure of the public; for the court was viewed with hatred by the people. It abolished the trial by jury; it admitted no inquest or presentment by the oaths of good and faithful men; it deprived the accused of the benefit of challenge; and its proceedings were contrary to the law of treason, the petition of right, and the very oath of government taken by the protector. Cromwell, dissatisfied with these acquittals, yielded to the advice of the council, and sent the rest of the prisoners before the usual courts of law,

June
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* Thurloe, vi. 777. 780. 786. 870; vii. 46, 47. 98.

where several were found guilty, and condemned to suffer the penalties of treason*.

Great exertions were made to save the lives of Slingsby and Hewet. In favour of the first, it was urged that he had never been suffered to compound, had never submitted to the commonwealth, and had been for years deprived both of his property and liberty, so that his conduct should be rather considered as the attempt of a prisoner of war to regain his freedom, than of a subject to overturn the government. This reasoning was urged by his nephew, lord Falconberg, who, by his recent marriage with Mary Cromwell, was believed to possess considerable influence with her father. The interest of Dr. Hewet was espoused by a more powerful advocate—by Elizabeth, the best-beloved of Cromwell's daughters, who at the same time was in a delicate and precarious state of health. But it was in vain that she interceded for the man, whose spiritual ministry she employed; Cromwell was inexorable. He resolved that blood should be shed, and that the royalists should learn to fear his resentment, since they had not been won by his forbearance. Both suffered death by decapitation†.

During the winter, the gains and losses of the hostile armies in Flanders had been nearly balanced. If, on the one hand, the duke of York was repulsed with loss in his attempt to storm by night the works at Mardyke; on the other, the marshal D'Aumont was made prisoner

* Whitelock, 673, 4. Thurloe, vii. 159, 161. State Trials, i. 871, 883, 907. These trials are more interesting in Clarendon, but much of his narrative is certainly, and more of it probably, fictitious. It is not true that Slingsby's offence was committed two years before, nor that Hewet was accused of visiting the king in Flanders, nor that Mallory escaped out of the hall on the morning of the trial. (See Clarend. Hist. iii. 619—624.) Mallory's own account of his escape is in Thurloe, vii. 194, 220.

† Ludlow, ii. 149. I think there is some reason to question those sentiments of loyalty to the house of Stuart, and that affliction and displeasure on account of the execution of Hewet, which writers attribute to Elizabeth Claypole. In a letter written by her to her sister-in-law, the wife of H. Cromwell, and dated only four days after the death of Hewet, she calls on her to return thanks to God for their deliverance from Hewet's conspiracy: "for *seriously* not only his (Cromwell's) tamely would have bin ruined, " but in all probability the hol nation would have bin invold in blod." June 12. Thurloe, vii. 171.

with fifteen hundred men by the Spanish governor of Ostend, who, under the pretence of delivering up the place, had decoyed him within the fortifications. In February, the offensive treaty between France and England was renewed for another year; three thousand men, drafted from different regiments, were sent by the protector to supply the deficiency in the number of his forces; and the combined army opened the campaign with the siege of Dunkirk. By the Spaniards the intelligence was received with surprise and apprehension. Deceived by false information, they had employed all their efforts to provide for the safety of Cambray. The repeated warnings given by Charles had been neglected; the extensive works at Dunkirk remained in an unfinished state; and the defence of the place had been left to its ordinary garrison of no more than one thousand men, and these but scantily supplied with stores and provisions. To repair his error, Don Juan, with the consent of his Mentor, the marquess Camacena, resolved to hazard a battle; and, collecting a force of six thousand infantry, and four thousand cavalry, encamped between the village of Zudecote and the lines of the besiegers. But Turenne, aware of the defective organization of the Spanish armies, resolved to prevent the threatened attack; and the very next morning, before the Spanish cannon and ammunition had reached the camp, the allied force was seen advancing in battle array. Don Juan hastily placed his men along a ridge of sand hills which extended from the sea-coast to the canal, giving the command of the right wing to the duke of York, of the left to the prince of Condé, and reserving the centre to himself. The battle was begun by the English, who found themselves opposed to their countryman, the duke of York. They were led by major-general Morgan; for Lockhart, who acted both as ambassador and commander-in-chief, was confined by indisposition to his carriage. Their ardour to distinguish themselves in the presence of the two rival nations carried them consider-

June
1.

ably in advance of their allies; but, having halted to gain breath at the foot of the opposite sand hill, they mounted with impetuosity, received the fire of the enemy, and, at the point of the pike, drove them from their position. The duke immediately charged at the head of the Spanish cavalry: but one half of his men were mowed down by a well-directed fire of musketry; and James himself owed the preservation of his life to the temper of his armour. The advantage, however, was dearly purchased: in Lockhart's regiment scarcely an officer remained to take the command.

By this time the action had commenced on the left, where the prince of Condé, after some sharp fighting, was compelled to retreat by the bank of the canal. The centre was never engaged; for the regiment, on its extreme left, seeing itself flanked by the French in pursuit of Condé, precipitately abandoned its position, and the example was successively imitated by the whole line. But, in the mean while, the duke of York had rallied his broken infantry, and, while they faced the English, he charged the latter in flank at the head of his company of horse-guards. Though thrown into disorder, they continued to fight, employing the butt-ends of their muskets against the swords of their adversaries, and in a few minutes several squadrons of French cavalry arrived to their aid. James was surrounded: and, in despair of saving himself by flight, he boldly assumed the character of a French officer; rode at the head of twenty troopers toward the right of their army; and, carefully threading the different corps, arrived without exciting suspicion at the bank of the canal, by which he speedily effected his escape to Furnes*. The victory on the part of the allies was complete. The Spanish cavalry made no effort to protect the retreat of their infantry; every regiment of which was successively surrounded by the pursuers, and compelled to surrender. By Turenne and his officers

* See the account of this battle by James himself, in his *Memoirs*, i. 338—358. Also Thurloe, vii. 155, 6. 9.

the chief merit of this brilliant success was cheerfully allotted to the courage and steadiness of the English regiments: at Whitehall it was attributed to the prayers of the lord-protector, who, on that very day, observed with his council a solemn fast to implore the blessing of heaven on the operations of the allied army*.

Unable to oppose their enemies in the field, the Spanish generals proposed to retard their progress by the most obstinate defence of the different fortresses. The prince de Ligne undertook that of Ipres: the care of Newport, Bruges, and Ostend was committed to the duke of York; and Don Juan returned to Brussels to hasten new levies from the different provinces. Within a fortnight Dunkirk capitulated, and the king of France, having taken possession, delivered the keys with his own hand to the English ambassador. Gravelines was soon afterwards reduced; the prince de Ligne suffered himself to be surprised by the superior activity of Turenne; Ipres opened its gates, and all the towns on the banks of the Lys successively submitted to the conquerors. Seldom, perhaps, had there occurred a campaign more disastrous to the Spanish arms†.

June
17.

Aug.
20.

In the eyes of the superficial observer, Cromwell might now appear to have reached the zenith of power and greatness. At home he had discovered, defeated, and punished, all the conspiracies against him; abroad, his army had gained laurels in the field; his fleets swept the seas; his friendship was sought by every power; and his mediation was employed in settling the differences

* "Truly," says Thurloe, "I never was present at any such exercise, where I saw a greater spirit of faith and prayer poured forth." *Ibid.* 158. "The Lord," says Fleetwood, "did draw forth his highness's heart, to set apart that day to seek the Lord; and indeed there was a very good spirit appearing. Whilst we were praying, they were fighting; and the Lord hath given a signal answer. And the Lord hath not only owned us in our work there, but in our waiting upon him in our way of prayer, which is indeed our old experienced approved way in all our straits and difficulties." *Ibid.* 159.

† James, *Memoirs*, i. 359. Thurloe, vii. 169. 176. 215. If we may believe Temple, (ii. 545) Cromwell now saw his error in aiding the French, and made an offer of uniting his forces with those of Spain, provided the siege of Calais were made the first attempt of the combined army.

between both Portugal and Holland, and the king of Sweden and the elector of Brandenburg. He had recently sent lord Falconberg to compliment Louis XIV. on his arrival at Calais ; and, in a few days, was visited by the duke of Crequi, who brought him a magnificent sword as a present from that prince, and by Mancini, with another present of tapestry from his uncle, the cardinal Mazarin. But, above all, he was now in possession of Dunkirk, the great object of his foreign policy for the last two years, the opening through which he was to accomplish the designs of Providence on the continent. The real fact, however, was, that his authority in England never rested on a more precarious footing than at the present moment ; while, on the other hand, the cares and anxieties of government, joined to his apprehensions of personal violence, and the pressure of domestic affliction, were rapidly undermining his constitution, and hurrying him from the gay and glittering visions of ambition to the darkness and silence of the tomb.

1°. Cromwell was now reduced to that situation which, to the late unfortunate monarch, had proved the source of so many calamities. His expenditure far outran his income. Though the last parliament had made provision, ample provision, as it was then thought, for the splendour of his establishment, and for all the charges of the war, he had already contracted enormous debts ; his exchequer was frequently drained to the last shilling ; and his ministers were compelled to go a-begging—such is the expression of the secretary of state—for the temporary loan of a few thousand pounds, with the cheerless anticipation of a refusal *. He looked on the army, the greater part of which he had quartered in the neighbourhood of the metropolis, as his chief—his only support against his enemies ; and while the soldiers were comfortably clothed and fed, he might with confidence rely on their attachment ; but now that their pay was in

* Thurloe, vii. 99, 100. 144. 295.

arrear, he had reason to apprehend that discontent might induce them to listen to the suggestions of those officers who sought to subvert his power. On former occasions, indeed, he had relieved himself from similar embarrassments by the imposition of taxes by his own authority ; but this practice was so strongly reprobated in the petition and advice, and he had recently abjured it with so much solemnity, that he dared not repeat the experiment. He attempted to raise a loan among the merchants and capitalists in the city ; but his credit and popularity were gone ; he had, by plunging into war with Spain, cut off one of the most plentiful sources of profit, the Spanish trade ; and the number of prizes made by the enemy, amounting to more than a thousand *, had ruined many opulent houses. The application was eluded by a demand of security on the landed property belonging to country gentlemen. There remained a third expedient, an application to parliament. But Cromwell, like the first Charles, had learned to dread the very name of a parliament. Three of these assemblies he had moulded according to his pleasure, and yet not one of them could he render obsequious to his will. Urged, however, by the ceaseless importunities of Thurloe, he appointed nine councillors to inquire into the means of defeating the intrigues of the republicans in a future parliament ; the manner of raising a permanent revenue from the estates of the royalists ; and the best method of determining the succession to the protectorate. But among the nine were two who, aware of his increasing infirmities, began to cherish projects of their own aggrandizement, and who, therefore, made it their care to perplex and to prolong the deliberations. The committee sat three weeks. On the two first questions they came to no conclusion ; with respect to the third, they voted, on a division, that the choice between an elective and an hereditary succession was a matter of indifference. Suspicious of their motives,

June 18.

* Thurloe, vii. 662.

- July 8. Cromwell dissolved the committee *. But he substituted no council in its place ; things were allowed to take their course ; the embarrassment of the treasury increased ; and the irresolution of the protector, joined to the dangers which threatened the government, shook the confidence of Thurloe himself. It was only when he looked up to heaven that he discovered a gleam of hope, 27. in the persuasion that the God who had befriended Cromwell through life, would not desert him at the close of his career †.

2°. To the cares of government must be added his constant dread of assassination. It is certainly extraordinary that, while so many conspiracies are said to have been formed, no attempt was actually made against his person ; but the fact that such designs had existed, and the knowledge that his death was of the first importance to his enemies, convinced him that he could never be secure from danger. He multiplied his precautions. He wore defensive armour under his clothes ; he carried loaded pistols in his pockets ; he sought to remain in privacy ; and, when he found it necessary to give audience, he sternly watched the eyes and gestures of those who addressed him. He was careful that his own motions should not be known beforehand. His carriage was filled with attendants ; a numerous escort accompanied him ; and he proceeded at full speed, frequently diverging from the road to the right or left, and generally returning by a different route. In his palace he often inspected the nightly watch, changed his bed-chamber, and was careful that, besides the principal door, there should be some other egress, for the facility of escape. He had often faced death without flinching in the field ;

* Thurloe, vii. 146. 176. 192. 269. The committee consisted, in Thurloe's words, of lord Fiennes, lord Fleetwood, lord Desborow, lord Chamberlayne, lord Whalley, Mr. Comptroller, lord Goffe, lord Cooper, and himself, p. 192. On this selection Henry Cromwell observes : " The wise men were but seven ; it seems you have made them nine. And having heard their names, I think myself better able to guess what they'll do than a much wiser man ; for no very wise man can ever imagine it." p. 217.

† Ibid. 153. 282. 296.

but his spirit broke under the continual fear of unknown and invisible foes. He passed the nights in a state of feverish anxiety; sleep fled from his pillow; and for more than a year before his death we always find the absence of rest assigned as either the cause which produced, or a circumstance which aggravated his numerous ailments, †.

3°. The selfishness of ambition does not exclude the more kindly feelings of domestic affection. Cromwell was sincerely attached to his children; but, among them, he gave the preference to his daughter Elizabeth Claypole. The meek disposition of the young woman possessed singular charms for the overbearing spirit of her father; and her timid piety readily received lessons on mystical theology from the superior experience of the lord-general †. But she was now dying of a most painful and internal complaint, imperfectly understood by her physicians; and her grief for the loss of her infant child added to the poignancy of her sufferings. Cromwell abandoned the business of state that he might hasten to Hampton-court, to console his favourite daughter. He frequently visited her, remained long in her apartment, and, whenever he quitted it, seemed to be absorbed in the deepest melancholy. It is not probable that the subject of their private conversation was exposed to the profane ears of strangers. We are, however, told that she expressed to him her doubts of the justice of the good old cause, that she exhorted him to restore the sovereign authority to the rightful owner, and that, oc-

* (In Hist iii 646. Bites, Elench 342. Welwood, 94

† The following passage from one of Cromwell's letters to his daughter Helen, will perhaps surprise the reader. "Your sister Claypole is (I trust in mercy) exercised with some perplexed thoughts, she sees her own vanitie and carnall minde, bewaileth it, shee seeks after (as I hope also) that wch will satisfie, and thus to bee a seeker, is to be of the best sect next a finder, and such an one shall every faythfull humble seeker bee at the end. Happie seeker, happie finder. Who ever tasted that the Lord is gracious, without some sense of self vanitie and badness? Who ever tasted that graciousnesse of his, and could goe lesse in desire, and lesse than pressinge after full enjoyment? Deere hart presse on. lett not husband, lett not anythunge coole thy affection after Christ," &c. &c. &c. Harris, iii. App. 515, edit. 1814.

asionally, when her mind was wandering, she alarmed him by uttering cries of "blood," and predictions of vengeance*.

- Ang. 4^o. Elizabeth died. The protector was already con-
 6 fined to his bed with the gout, and, though he had anticipated the event, some days elapsed before he recovered from the shock. A slow fever still remained, which was
 17. pronounced a bastard tertian. One of his physicians whispered to another, that his pulse was intermittent:
 24. the words caught the ears of the sick man; he turned pale, a cold perspiration covered his face; and, requesting to be placed in bed, he executed his private will. The next morning he had recovered his usual composure;
 25. and when he received the visit of his physician, ordering all to quit the room but his wife, whom he held by the hand, he said: "Do not think that I shall die; I am sure of the contrary." Observing the surprise which these words excited, he continued: "Say not that I have lost my reason: I tell you the truth. I know it from better authority than any which you can have from Galen or Hippocrates. It is the answer of God himself to our prayers; not to mine alone, but to those of others who have a more intimate interest in him than I have†." The same communication was made to Thurloe, and to the different members of the protector's family; nor did it fail to obtain credit among men who believed that "in other instances he had been favoured with similar assurances, and that they had never deceived him‡." Hence his chaplain Goodwin exclaimed, "O Lord, we pray not for his recovery; that thou hast granted already; what we now beg is his *speedy* recovery §."

In a few days, however, their confidence was shaken. For change of air he had removed to Whitehall, till the palace of St. James's should be ready for his reception.

* Clar, Hist. iii. 647. Bulstrode, 205 Heath, 408.

† Thurloe, vii. 321. 340 354, 355. Bates, Eleuch. 413.

‡ Thurloe, vii. 355. 367. 3, 6.

§ Ludlow, ii. 151.

There his fever became a double tertian, and his strength rapidly wasted away. Who, it was asked, was to succeed him? On the day of his inauguration he had written the name of his successor within a cover sealed with the protectoral arms; but that paper had been lost, or purloined, or destroyed. Thurloe undertook to suggest to him a second nomination, but the condition of the protector, who, if we believe him, was always insensible or delirious, afforded no opportunity. A suspicion, however, existed, that he had private reasons for declining to interfere in so delicate a business*.

On the night of the second of September Cromwell had a lucid interval of considerable duration. It might have been expected that a man of his religious disposition would have felt some conjunctious visitings, when from the bed of death he looked back on the strange eventful career of his past life. But he had adopted a doctrine admirably calculated to lull and tranquillize the misgivings of conscience. "Tell me," said he to Sterry, one of his chaplains, "is it possible to fall from grace?" "It is not possible," replied the minister. "Then," exclaimed the dying man, "I am safe: for I know that "I was once in grace." Under this impression he prayed, not for himself, but for God's people. "Lord," he said, "though a miserable and wretched creature, I "am in covenant with thee through thy grace, and may "and will come to thee for thy people. Thou hast made "me a mean instrument to do them some good, and "thee service. Many of them set too high a value upon "me, though others would be glad of my death. Lord, "however thou disposest of me, continue, and go on to "do good for them. Teach those who look too much "upon thy instruments, to depend more upon thyself, "and pardon such as desire to trample upon the dust of "a poor worm, for they are thy people too†."

* Thurloe, 355, 365, 366.

† Collection of Passages concerning his late Highness in Time of his Sickness, p. 12. The author was Underwood, groom of the bed-chamber. See also a letter of H. Cromwell, Thurloe, vii. 454. Ludlow, ii. 153.

It was a stormy night. The violence of the wind increased till it blew a hurricane. Trees were torn from their roots in the park, and houses unroofed in the city. So strange a coincidence could not fail of exciting remarks in a superstitious age; and, though the storm reached to the coasts of the Mediterranean, in England it was universally referred to the death-bed of the protector. His friends asserted that God would not remove so great a man from this world without previously warning the nation of its approaching loss; the cavaliers more maliciously maintained that the devils, "the princes of the air," were congregating over Whitehall, that they might pounce on the protector's soul*.

Sept. 3. Early in the morning, he relapsed into a state of insensibility. It was his fortunate day, the 3d of September, a circumstance from which his sorrowing relatives derived a new source of consolation. It was, they observed, on the 3d of September that he overcame the Scots at Dunbar; on that day, he also overcame the royalists at Worcester; and on the same day, he was destined to overcome his spiritual enemies, and to receive the crown of victory in heaven. About four in the afternoon he breathed his last, amidst the tears and lamentations of his attendants. "Cease to weep," exclaimed the fanatical Sterry, "you have more reason to rejoice. He was your protector here; he will prove a still more powerful protector, now that he is with Christ at the right hand of the Father." With a similar confidence in Cromwell's sanctity, though in a somewhat lower tone of enthusiasm, the grave and cautious Thurloe announced the event by letter to the deputy of Ireland. "He is gone to heaven, embalmed with the tears of his people, and upon the wings of the prayers of the saints†."

Till the commencement of the present century, when that wonderful man arose, who, by the splendour of his

* Clar. 646. Bulstrode, 207. Heath, 408. Noble, i. 147, note.

† Ludlow, ii. 153. Thurloe, vii. 373.

victories and the extent of his empire, cast all preceding adventurers into the shade, the name of Cromwell stood without a parallel in the history of civilized Europe. Men looked with a feeling of awe on the fortunate individual who, without the aid of birth, or wealth or connexions, was able to seize the government of three powerful kingdoms, and to impose the yoke of servitude on the necks of the very men, who had fought in his company to emancipate themselves from the less arbitrary sway of their hereditary sovereign. That he who accomplished this was no ordinary personage, all must admit; and yet, on close investigation, we shall discover little that was sublime or dazzling in his character. Cromwell was not the meteor which surprises and astounds by the brilliancy and rapidity of its course. Cool, cautious, calculating, he stole on with slow and measured pace; and, while with secret pleasure he toiled up the ascent to greatness, laboured to persuade the spectators that he was reluctantly borne forward by an exterior and resistless force, by the march of events, the necessities of the state, the will of the army, and even the decree of the Almighty. He looked upon dissimulation as the perfection of human wisdom, and made it the key-stone of the arch on which he built his fortunes *. The aspirations of his ambition were concealed under the pretence of attachment to "the good old cause;" and his secret workings to acquire the sovereignty for himself and his family were represented as endeavours to secure for his former brethren in arms the blessings of civil and religious freedom, the two great objects which originally called them into the field. Thus his whole conduct was made up of artifice and deceit. He laid his plans long beforehand; he studied the views and dispositions of all from whose influence he had any thing to hope or fear; and he employed every expedient to win their affections, and to make them the

* See proofs of his dissimulation in Harris, iii. 93—103. Hutchinson, 313.

blind unconscious tools of his policy. For this purpose he asked questions, or threw out insinuations in their hearing: now kept them aloof with an air of reserve and dignity; now put them off their guard by condescension, perhaps by buffoonery *; at one time, addressed himself to their vanity or avarice; at another, exposed to them with tears (for tears he had at will,) the calamities of the nation: and then, when he found them moulded to his purpose, instead of assenting to the advice which he had himself suggested, feigned reluctance, urged objections, and pleaded scruples of conscience. At length he yielded: but it was not till he had acquired by his resistance the praise of moderation, and the right of attributing his acquiescence to the importunity of others instead of his own ambition †.

Exposed as he was to the continued machinations of the royalists and levellers, both equally eager to precipitate him from the height to which he had attained, Cromwell made it his great object to secure to himself the attachment of the army. To it he owed the acquisition, through it alone could he ensure the permanence, of his power. Now, fortunately for this purpose, that army, composed as never was army before or since, revered in the lord-protector what it valued mostly in itself, the cant and practice of religious enthusiasm. The superior officers, the subalterns, the privates, all held themselves forth as professors of godliness. Among them every public breach of morality was severely punished; the exercises of religious worship were of as frequent recurrence as those of military duty‡; in council, the officers always opened the proceedings with ex-

* See instances in Bates, Elenc. 344. Cowley, 95. Ludlow, i. 207. Whitelock, 656. S. Trials, v. 1131. 1199.

† See Ludlow, i. 272; ii. 13, 14, 17.

‡ "The discipline of the army was such that a man would not be suffered to remain there, of whom we could take notice he was guilty of such practices." Cromwell's speech to parliament in 1654. It surprised strangers. *Certa singulis diebus tum laudandis Deo precibus, tum audiendis Dei præconiis exant assignata tempora. Parallelum Olivæ apud Harris, lib. 12. E certo ad ogni modo, che le Truppe vivono con tanta esattezza, come se fossero materie de' religiosi. Sagredo, MS.*

temporary prayer; and to implore with due solemnity the protection of the Lord of Hosts, was held an indispensable part of the preparation for battle. Their cause they considered the cause of God; if they fought, it was for his glory; if they conquered, it was by the might of his arm. Among these enthusiasts, Cromwell, as he held the first place in rank, was also pre-eminent in spiritual gifts*. The fervour with which he prayed, the unction with which he preached, excited their admiration and tears. They looked on him as the favourite of God, under the special guidance of the Holy Spirit, and honoured with communications from heaven; and he, on his part, was careful, by the piety of his language, by the strict decorum of his court, and by his zeal for the diffusion of godliness, to preserve and strengthen such impressions. In minds thus disposed, it was not difficult to create a persuasion that the final triumph of "their cause" depended on the authority of the general under whom they had conquered; while the full enjoyment of that religious freedom which they so highly prized rendered them less jealous of the arbitrary power which he occasionally assumed. In his public speeches, he perpetually reminded them that, if religion was not the original cause of the late civil war, yet God "soon brought it to that issue;" that amidst the strife of battle, and the difficulties and dangers of war, the reward to which they looked was freedom of conscience; that this freedom to its full extent they enjoyed under his government, though they could never obtain it till they had placed the supreme authority in his hands†. The merit which he thus arrogated to himself was admitted to be his due by the great body of the saints: it became the spell by which he rendered them blind to

* Religioso al estremo nell'esteriore, predica con eloquenza ai soldati, li persuade a vivere secondo le legge d'Iddio, e per render più efficace la persuasione, si serve ben spesso delle lagrime, piangendo più li peccati altrui, che li proprii. Ibid. See also Ludlow, iii. 111.

† See in particular his speech to his second parliament, printed by Henry Hills, 1654.

his ambition and obedient to his will; the engine with which he raised, and afterwards secured, the fabric of his greatness.

On the subject of civil freedom, the protector could not assume so bold a tone. He acknowledged, indeed, its importance; it was second only to religious freedom; but if second, then, in the event of competition, it ought to yield to the first. He contended that, under his government, every provision had been made for the preservation of the rights of individuals, so far as was consistent with the safety of the whole nation. He had reformed the chancery, he had laboured to abolish the abuses of the law, he had placed learned and upright judges on the bench, and he had been careful in all ordinary cases that impartial justice should be administered between the parties. This indeed was true; but it was also true that by his orders men were arrested and committed without lawful cause; that juries were packed, that prisoners, acquitted at their trial, were sent into confinement beyond the jurisdiction of the courts; that taxes had been raised without the authority of parliament; that a most unconstitutional tribunal, the high court of justice, had been established; and that the major-generals had been invested with powers the most arbitrary and oppressive*. These acts of despotism put him on his defence; and in apology he pleaded, as every despot will plead, reasons of state, the necessity of sacrificing a part to preserve the whole, and his conviction, that a "people blessed by God, the regenerated ones of "several judgments forming the flock and lambs of "Christ, would prefer their safety to their passions, and "their real security to forms." Nor was this reasoning addressed in vain to men, who had surrendered their judgments into his keeping, and who felt little for the

* "Judge Rolles," says Challoner, "was shuffled out of his place "Three worthy lawyers were sent to the Tower. It cost them 50*l.* a-piece "for pleading a client's cause. One Portman was imprisoned two or three "years without cause. Several persons were taken out of their beds, and "carried none knows whither." *Burton's Diary*, iv. 47.

wrongs of others, as long as such wrongs were represented necessary for their own welfare.

Some writers have maintained that Cromwell dissembled in religion as well as in politics ; and that, when he condescended to act the part of the saint, he assumed for interested purposes a character which he otherwise despised. But this supposition is contradicted by the uniform tenor of his life. Long before he turned his attention to the disputes between the king and the parliament, religious enthusiasm had made a deep impression on his mind * : it continually manifested itself during his long career, both in the senate and the field ; and it was strikingly displayed in his speeches and prayers on the last evening of his life. It should, however, be observed, that he made his religion harmonize with his ambition. If he believed that the cause in which he had embarked was the cause of God, he also believed that God had chosen him to be the successful champion of that cause. Thus the honour of God was identified with his own advancement, and the arts, which his policy suggested, were sanctified in his eyes by the ulterior object at which he aimed—the diffusion of godliness, and the establishment of the reign of Christ among mankind †.

* Warwick, 249.

† The Venetian ambassador observes that during the protectorate London wore the appearance of a garrison town, where nothing was to be seen but the marching of soldiers, nothing to be heard but the sound of drums and trumpets. *Il decoro et grandezza di Londra ha molto cangiato di faccia, la nobiltà, che la rendeva conspicua, sta divisa per la campagna, et la delicatezza della corte la più sontuosa et la più allegra del mondo, frequentata da principali dame, et abundante nelli più scelti trattenimenti, e cangiata al presente in una perpetua marea et contramarchia, in un incessante strepito di tamburri, e di trombe, et in stuolo numerosi di soldati et ufficiali diversi ai posti. Sagredo. See also an intercepted letter in Thurloe, ii. 670.*

CHAPTER III.

THE PROTECTORATE.

Richard Cromwell Protector—Parliament called—Dissolved—Military Government—Long Parliament restored—Expelled again—Re-instated—Monk in London—Re-admission of excluded Members—Long Parliament dissolved—The Convention Parliament—Restoration of Charles II.

By his wife, Elizabeth Bourchier, Cromwell left two sons, Richard and Henry. There was a remarkable contrast in the opening career of these young men. During the civil war, Richard lived in the Temple, frequented the company of the cavaliers, and spent his time in gaiety and debauchery. Henry repaired to his father's quarters; and so rapid was his promotion, that at the age of twenty he held the commission of captain in the regiment of guards belonging to Fairfax, the lord-general. After the establishment of the commonwealth, Richard married, and, retiring to the house of his father-in-law, at Hursley in Hampshire, devoted himself to the usual pursuits of a country gentleman. Henry accompanied his father in the reduction of Ireland, which country he afterwards governed, first with the rank of major-general, afterwards with that of lord-deputy. It was not till the second year of the protectorate that Cromwell seemed to recollect that he had an elder son. He made him a lord of trade, then chancellor of the university of Oxford, and lastly a member of the new house of peers. As these honours were far inferior to those which he lavished on other persons connected with his family, it was inferred that he entertained a mean opinion of Richard's abilities

A more probable conclusion is, that he feared to alarm the jealousy of his officers, and carefully abstained from doing that which might confirm the general suspicion, that he designed to make the protectorship hereditary in his family.

The moment he expired, the council assembled, and the result of their deliberation was an order to proclaim Richard Cromwell protector, on the ground that he had been declared by his late highness his successor in that dignity*. Not a murmur of opposition was heard; the ceremony was performed in all places after the usual manner of announcing the accession of a new sovereign; and addresses of condolence and congratulation poured in from the army and navy, from one hundred congregational churches, and from the boroughs, cities, and counties. It seemed as if free-born Britons had been converted into a nation of slaves. These compositions were drawn up in the highest strain of adulation, adorned with forced allusions from Scripture, and with all the extravagance of Oriental hyperbole. "Their sun was set, "but no night had followed. They had lost the nursing "father, by whose hand the yoke of bondage had been "broken from the necks and consciences of the godly. "Providence by one sad stroke had taken away the "breath from their nostrils, and smitten the head from "their shoulders; but had given them in return the

* There appears good reason to doubt this assertion. Thurloe indeed (vii. 372) informs Henry Cromwell that his father named Richard to succeed on the preceding Monday. But his letter was written after the proclamation of Richard, and its contents are irreconcilable with the letters written before it. We have one from Lord Falconberg, dated on Monday, saying that no nomination had been made, and that Thurloe had promised to suggest it, but probably would not perform his promise (ibid. 365), and another from Thurloe himself to Henry Cromwell, stating the same thing as to the nomination (ibid. 364). It may perhaps be said that Richard was named on the Monday after the letters were written; but there is a second letter from Thurloe, dated on the Tuesday, stating that the protector was still incapable of public business, and that matters would, he feared, remain till the death of his highness in the same state as he described them in his letter of Monday (ibid. 366). It was afterwards said that the nomination took place on the night before the protector's death, in the presence of four of the council. (Falconberg in Thurloe, 375, and Barwick, ibid. 415); but the latter adds that many doubt whether it ever took place at all.

" noblest branch of that renowned stock, a prince distinguished by the lovely composition of his person, but still more by the eminent qualities of his mind. The late protector had been a Moses to lead God's people out of the land of Egypt: his son would be a Joshua to conduct them into a more full possession of truth and righteousness. Elijah had been taken into heaven: Elisha remained on earth, the inheritor of his mantle and his spirit * ! "

The royalists, who had persuaded themselves that the whole fabric of the protectorial power would fall in pieces on the death of Cromwell, beheld with amazement the general acquiescence in the succession of Richard; and the foreign princes, who had deemed it prudent to solicit the friendship of the father, now hastened to offer their congratulations to his son. Yet, fair and tranquil as the prospect appeared, an experienced eye might easily detect the elements of an approaching storm. Meetings were clandestinely held by the officers; doubts were whispered of the nomination of Richard by his father; and an opinion was encouraged among the military that, as the commonwealth was the work of the army, so the chief office in the commonwealth belonged to the commander of the army. On this account the protectorship had been bestowed on Cromwell; but his son was one who had never drawn his sword in the cause; and to suffer the supreme power to devolve on him was to disgrace, to disinherit, the men who had suffered so severely, and bled so profusely, in the contest.

These complaints had probably been suggested, they were certainly fomented, by Fleetwood and his friends, the colonels Cooper, Berry, and Sydenham. Fleetwood was brave in the field, but irresolute in council, eager for

* The Scottish ministers in Edinburgh, instead of joining in these addresses, prayed on the following Sunday, " that the Lord would be merciful to the exiled, and those that were in captivity, and cause them to return with sheaves of joy: that he would deliver all his people from the yoke of Pharaoh, and task-masters of Egypt, and that he would cut off their oppressors, and hasten the time of their deliverance." Thurloe, vii. 416.

the acquisition of power, but continually checked by scruples of conscience, attached by principle to republicanism, but ready to acquiesce in every change, under the pretence of submission to the decrees of Providence. Cromwell, who knew the man, had raised him to the second command in the army, and fed his ambition with distant and delusive hopes of succeeding to the supreme magistracy. The protector died, and Fleetwood, instead of acting, hesitated, prayed, and consulted: the propitious moment was suffered to pass by; he assented to the opinion of the council in favour of Richard; and then, repenting of his weakness, sought to indemnify himself for the loss by confining the authority of the protector to the civil administration, and procuring for himself the sole, uncontrolled command of the army. Under the late government the meetings of military officers had been discountenanced and forbidden: now they were encouraged to meet and consult: and, in a body of more than two hundred individuals, they presented to Richard a petition, by which they demanded that no officer should be deprived but by sentence of a court-martial, and that the chief command of the forces, and the disposal of commissions, should be conferred on some person whose past services had proved his attachment to the cause. There were not wanting those who advised the protector to extinguish the hopes of the factious at once by arresting and imprisoning the chiefs; but more moderate counsels prevailed, and in a firm but conciliatory speech, the composition of secretary Thurloe, he replied that, to gratify their wishes, he had appointed his relative, Fleetwood, lieutenant-general of all the forces; but that to divest himself of the chief command, and of the right of giving or resuming commissions, would be to act in defiance of the "petition and advice," the instrument by which he held the supreme authority. For a short time they appeared satisfied; but the chief officers continued to hold meetings in the chapel at St. James's, ostensibly for the purpose of prayer, but in reality for the conveni-

Oct 14.

ence of deliberation. Fresh jealousies were excited; it was said that another commander (Henry Cromwell was meant) would be placed above Fleetwood: Thurloe, Pierrepont, and St. John, were denounced as evil counsellors; and it became evident to all attentive observers that the two parties must soon come into collision. The protector could depend on the armies in Ireland and Scotland. In Ireland, his brother Henry governed without an opponent; in Scotland, Monk, by his judicious separation of the troops, and his vigilance in the enforcement of discipline, had deprived the discontented of the means of holding meetings, and of corresponding with each other. In England he was assured of the services of eight colonels, and, therefore, as it was erroneously supposed, of their respective regiments, forming one half of the regular force. But his opponents were masters of the other half, constituted the majority in the council, and daily augmented their numbers by the accession of men who secretly leaned to republican principles, or sought to make an interest in that party which they considered the more likely to prevail in the approaching struggle*.

From the notice of these intrigues the public attention was withdrawn by the obsequies of the late protector. It was resolved that they should exceed in magnificence those of any former sovereign, and with that view they were conducted according to the ceremonial observed at the interment of Philip II. of Spain. Somerset-house was selected for the first part of the exhibition. The spectators, having passed through three rooms hung with black cloth, were admitted into the funereal chamber; Sept. 26. where, surrounded with wax lights, was seen an effigy of

* For these particulars, see the letters in Thurloe, vii. 386 406 413. 5. 424. 6, 7. 8 447. 450. 2, 3, 4. 463, 490, 1, 2, 3 5. 6, 7, 8 500. 510, 511. So great was the jealousy between the parties, that Richard and his brother Henry dared not correspond by letter. "I doubt not all the letters will be opened, which come either to or from your highness, which can be suspected to contain business," 454. For the principles now professed by the levellers, see note (B.)

Cromwell clothed in royal robes, and lying on a bed of state, which covered, or was supposed to cover, the coffin. On each side lay different parts of his armour: in one hand was placed the sceptre, in the other the globe; and behind the head an imperial crown rested on a cushion in a chair of state. But, in defiance of every precaution, it became necessary to inter the body before the appointed day; and the coffin was secretly deposited at night in a vault at the west end of the middle aisle of Westminster Abbey, under the gorgeous cenotaph which had recently been erected. The effigy was now removed to a more spacious chamber: it rose from a recumbent to an erect posture; and stood before the spectators not only with the emblems of royalty in its hands, but with the crown upon its head. For eight weeks this pageant was exhibited to the public. As the day appointed for the funeral obsequies approached, rumours of an intended insurrection during the ceremony were circulated; but guards from the most trusty regiments lined the streets; the procession, consisting of the principal persons in the city and army, the officers of state, the foreign ambassadors, and the members of the protector's family, passed along without interruption; and the effigy, which in lieu of the corpse was borne on a car, was placed, with due solemnity, in the cenotaph already mentioned. Thus did fortune sport with the ambitious prospects of Cromwell. The honours of royalty which she refused to him during his life, she lavished on his remains after death; and then, in the course of a few months, resuming her gifts, exchanged the crown for a halter, and the royal monument in the abbey for an ignominious grave at Tyburn*.

Before the reader proceeds to the more important transactions at home, he may take a rapid view of the relations existing between England and foreign states. The war

* Thurloe, vi. 528, 9. Carrington apud Nolle, i. 360—9. The charge for black cloth alone on this occasion was 692*l.* 6*s.* 5*d.* Biblioth. Stow. ii. 418 I do not notice the childish stories about the stealth of the protector's body.

which had so long raged between the rival crowns of France and Spain was hastening to its termination ; to Louis the aid of England appeared no longer a matter of consequence ; and the auxiliary treaty between the two countries, which had been renewed from year to year, Aug. was suffered to expire at the appointed time. But in the north of Europe there was much to claim the attention of the new protector ; for the king of Sweden, after a short peace, had again unsheathed the sword against his enemy, the king of Denmark. The commercial interests of the maritime states were deeply involved in the issue of this contest ; both England and Holland prepared to aid their respective allies ; and a Dutch squadron joined the Danish, while an English division, under the command of Ayscue, sailed to the assistance of the Swedish monarch. The severity of the winter forced Ayscue to return ; but as soon as the navigation of the Sound was open, two powerful fleets were despatched to the Baltic, one by the protector, the other by the States ; and to Montague, the English admiral, was intrusted the delicate and difficult commission, not only of watching the proceedings of the Dutch, but also of compelling them to observe peace towards the Swedes, without giving them occasion to commence hostilities against himself. In this he was successful : but no offer of mediation could reconcile the contending monarchs ; and we shall find Montague still cruizing in the Baltic at the time when Richard, from whom he derived his commission, will be forced to abdicate the protectorial dignity*.

Nov. In a few days after the funeral of his father, to the
30. surprise of the public, the protector summoned a parliament. How, it was asked, could Richard hope to control such an assembly, when the genius and authority of Oliver had proved unequal to the attempt ? The difficulty was acknowledged ; but the arrears of the army, the exhaustion of the treasury, and the necessity of

* Burton's Diary, iii. 576. Thurloe, vol. vii. passim. Carte's Letters, ii. 157—182. Londorp, viii. 635. 708. Dumont, vi. 244. 252. 260.

seeking support against the designs of the officers, compelled him to hazard the experiment; and he flattered himself with the hope of success, by avoiding the rock on which, in the opinion of his advisers, the policy of his father had split. Oliver had adopted the plan of representation prepared by the long parliament before its dissolution, a plan which, by disfranchising the lesser boroughs, and multiplying the members of the counties, had rendered the elections more independent of the government: Richard, under the pretence of a boon to the nation, reverted to the ancient system; and, if we may credit the calculation of his opponents, no fewer than one hundred and sixty members were returned from the boroughs by the interest of the court and its supporters. But to adopt the same plan in the conquered countries of Scotland and Ireland would have been dangerous: thirty representatives were therefore summoned from each; and, as the elections were conducted under the eyes of the commanders of the forces, the members, with one solitary exception, proved themselves the obsequious servants of government*.

It was, however, taken as no favourable omen, that when the protector, at the opening of parliament, commanded the attendance of the commons in the house of lords, nearly one half of the members refused to obey. They were unwilling to sanction by Jan. 1659. their presence the existence of an authority, the legality 27. of which they intended to dispute; or to admit the superior rank of the new peers, the representatives of the protector, over themselves, the representatives of the people. As soon as the lower house was constituted, it divided itself into three distinct parties. 1°. The protectorists formed about one half of the members. They had received instructions to adhere inviolably to the provisions of the "humble petition and advice," and to consider the government by a single person, with the

* Thurolo, vii 541. 550 Ludlow, ii 170. Boshel, Brief Narrative, 340. England's Confusion, p. 4, London, 1659.

aid of two houses, as the unalterable basis of the constitution. 2°. The republicans, who did not amount to fifty, compensated for the deficiency of number by their energy and eloquence. Vane, Hazlerig, Lanibert, Ludlow, Nevil, Bradshaw, and Scot, were ready debaters, skilled in the forms of the house, and always on the watch to take advantage of the want of knowledge or of experience on the part of their adversaries. With them voted Fairfax, who, after a long retirement, appeared once more on the stage. He constantly sat by the side, and echoed the opinions of Hazlerig; and, so artfully did he act his part, so firmly did he attach their confidence, that, though a royalist at heart, he was designed by them for the office of lord-general, in the event of the expulsion or the abdication of Richard. 3°. The "moderates or neutrals" held in number the medium between the protectorists and republicans. Of these, some wavered between the two parties; but many were concealed cavaliers, who, in obedience to the command of Charles, had obtained seats in the house, or young men who, without any fixed political principles, suffered themselves to be guided by the suggestions of the cavaliers. To the latter, Hyde had sent instructions that they should embarrass the plans of the protector, by denouncing to the house the illegal acts committed under the late administration; by impeaching Thurloe and the principal officers of state; by fomenting the dissension between the courtiers and the republicans; and by throwing their weight into the scale, sometimes in favour of one, sometimes of the other party, as might appear most conducive to the interests of the royal exile*.

The lords, aware of the insecure footing on which they stood, were careful not to provoke the hostility of the

* Thurloe, i. 766; vii. 562 604, 5. 9. 615, 6. Clarend. Pap. iii. 423, 4. 5. 8. 432. 4. 6. There were forty-seven republicans; from one hundred to one hundred and forty counterfeit republicans and neutrals, seventy-two lawyers, and above one hundred placemen. Ibid. 440 They began with a day of fasting and humiliation within the house, and four ministers, with praying and preaching, occupied them from nine till six. Burton's Diary and Journals, Feb. 4.

commons. They sent no messages ; they passed no bills ; but, exchanging matters of state for questions of religion, contrived to spend their time in discussing the form of a national catechism, the sinfulness of theatrical entertainments, and the papal corruptions supposed to exist in the Book of Common Prayer*. In the lower house, Feb. the first subject which called forth the strength of the different parties was a bill which, under the pretence of recognizing Richard Cromwell for the rightful successor to his father, would have pledged the parliament to an acquiescence in the existing form of government. The men of republican principles instantly took the alarm. To Richard personally they made no objection : they respected his private character, and wished well to the prosperity of his family : but where, they asked, was the proof that the provisions of the " humble petition and advice " had been observed ? where the deed of nomination by his father ? where the witnesses to the signature ?—Then what was the " humble petition and advice " itself ? An instrument of no force in a matter of such high concernment, and passed by a very small majority in a house, out of which one hundred members lawfully chosen had been unlawfully excluded. Lastly, what right had the commons to admit a negative voice, either in another house or in a single person ? Such a voice was destructive of the sovereignty of the people exercised by their representatives. The people had sent them to parliament with power to make laws for the national welfare, but not to annihilate the first and most valuable right of their constituents. Each day the debate grew more animated and personal : charges were made, and recriminations followed : the republicans enumerated the acts of misrule and oppression under the government of the late protector : the courtiers balanced the account with similar instances from the proceedings of their adversaries during the sway of the long parliament ; the orators, amidst the multitude of subjects in-

* Thurloe, 559. 609. 615.

Feb. 14. cidentally introduced, lost sight of the original question ; and the speaker, after a debate of eight days, declared that he was bewildered in a labyrinth of confusion, out of which he could discover no issue. Weariness at last induced the combatants to listen to a compromise, that the recognition of Richard as protector should form part of a future bill, but that, at the same time, his prerogative should be so limited as to secure the liberties of the people. Each party expressed its satisfaction. The republicans had still the field open for the advocacy of their favourite doctrines ; the protectorists had advanced a step, and trusted that it would lead them to the acquisition of greater advantages *.

From the office of protector, the members proceeded to inquire into the constitution and powers of the other house ; and this question, as it was intimately connected with the former, was debated with equal warmth and pertinacity. The opposition appealed to the "engagement," which many of the members had subscribed ; contended that the right of calling a second house had been personal to the late protector, and did not descend to his successors ; urged the folly of yielding a negative voice on their proceedings to a body of counsellors of their own creation ; and pretended to foretel that a protector with a yearly income of 1,300,000*l.* and a house of lords selected by himself, must inevitably become, in the course of a few years, master of the liberties of the people. When, at the end of nine days, the speaker was going to put the question, sir Richard Temple, a concealed royalist, demanded that the sixty members from Scotland and Ireland, all in the interest of the court, should withdraw. It was, he said, doubtful, from the illegality of their election, whether they had any right to sit at all ; it was certain that, as the representatives of other nations, they could not claim to vote on a

* Journals, Feb. 1. 14. Thurlow, 603. 9, 10. 5. 7. Clar. Pap. iii. 494 6 9. In Burton's Diary the debate occupies almost two hundred pages, iii. 87—287.

question of such high importance to the people of England. Thus another bone of contention was thrown between the parties; eleven days were consumed before the Scottish and Irish members could obtain permission to vote, and then five more expired before the question respecting the other house was determined. The new lords had little reason to be gratified with the result. They were acknowledged, indeed, as a house of parliament for the present; but there was no admission of their claim of the peerage, or of a negative voice, or of a right to sit in subsequent parliaments. The commons consented "to transact business with them" (a new phrase of undefined meaning), pending the parliament, but with a saving of the rights of the ancient peers, who had been faithful to the cause; and, in addition, a few days later, they resolved that, in the transaction of business, no superiority should be admitted in the other house, nor message received from it, unless brought by the members themselves*.

In these instances, the recognition of the protector and of the two houses, the royalists, with some exceptions, had voted in favour of the court, under the impression that such a form of government was one step towards the restoration of the king. But on all other questions, whenever there was a prospect of throwing impediments in the way of the ministry, or of inflaming the discontent of the people, they zealously lent their aid to the republican party. It was proved that, while the revenue had been doubled, the expenditure had grown in a greater proportion; complaints were made of oppression, waste, embezzlement, and tyranny in the collection of the excise; the inhumanity of selling obnoxious individuals for slaves to the West India planters was severely reprobated†; instances of extortion were

* Journals, Feb. 18; Mar. 28; April 5, 6, 8. Thurloe, 615. 26. 33. 36. 40. 47. Clar. Pap. iii. 429. 432. Burton's Diary, iii. 317—69. 403—24. 510—94; iv. 7—41. 46—147. 163—243. 293. 351, 375.

† Clar. Pap. iii. 429. 32. Thurloe, 647. Burton's Diary, iii. 448; iv. 255. 263. 301. 403. 429. One petition stated that seventy persons.

daily announced to the house by the committee of grievances; an impeachment was ordered against Boteler, accused of oppression in his office of major-general; and another threatened against Thurloe for illegal conduct in his capacity of secretary of state. But, while these proceedings awakened the hopes and gratified the resentments of the people, they at the same time spread alarm through the army; every man conscious of having abused the power of the sword began to tremble for his own safety; and an unusual ferment the sure prelude of military violence, was observable at the headquarters of the several regiments.

Hitherto the general officers had been divided between Whitehall and Wallingford-house, the residences of Richard and of Fleetwood. At Whitehall, the lord Falconberg, brother-in-law to the protector, Charles Howard, whom Oliver had created a viscount*, Ingoldsby, Whalley, Goffe, and a few others, formed a military council for the purpose of maintaining the ascendancy of Richard in the army. At Wallingford-house, Fleetwood and his friends consulted how they might deprive him of the command, and reduce him to the situation of a civil magistrate: but now a third and more numerous council appeared at St. James's, consisting of most of the inferior officers, and guided by the secret intrigues of Lambert, who, holding no commission himself, abstained from sitting among them, and by the open influence of Desborough, a bold and reckless man, who began to despise the weak and wa-

who had been apprehended on account of the Salisbury rising, after a year's imprisonment, had been sold at Barbadoes for "1550 pounds' weight of sugar a piece, more or less, according to their working faculties." Among them were divines, officers, and gentlemen, who were represented as "grinding at the mills, attending at the furnaces, and digging in that scorching island, being bought and sold still from one planter to another, or attached as horses or beasts for the debts of their masters, being whipped at the whipping post as rogues at their masters' pleasure, and sleeping in sties worse than hogs in England." Ibid. 236. See also Thurloe, i. 745.

* Viscount Howard, of Morpeth, July 20, 1657, afterwards created baron Dacre, viscount Howard of Morpeth and earl of Carlisle, by Charles II. 30 Apr. 1661.

vering conduct of Fleetwood. Here originated the plan of a general council of officers, which was followed by the adoption of "the humble representation and petition," an instrument composed in language too moderate to give reasonable cause of offence, but intended to suggest much more than it was thought prudent to express. It made no allusion to the disputed claim of the protector, or the subjects of strife between the two houses; but it complained bitterly of the contempt into which the good old cause had sunk, of the threats held out, and the prosecutions instituted, against the patriots who had distinguished themselves in its support, and of the privations to which the military were reduced by a system that kept their pay so many months in arrear. In conclusion, it prayed for the redress of these grievances, and stated the attachment of the subscribers to the cause for which they had bled, and their readiness to stand by the protector and parliament in its defence*. This paper, with six hundred signatures, was presented to Richard, who received it with an air of cheerfulness, and forwarded it to the lower house. There it was read, laid on the table, and scornfully neglected. But the military leaders treated the house with equal scorn: having obtained the consent of the protector, they established a permanent council of general officers; and then, instead of fulfilling the expectations with which they had lulled his jealousy, successively voted, that the common cause was in danger, that the command of the army ought to be vested in a person possessing its confidence, and that every officer should be called upon to testify his approbation of the death of Charles I., and of the subsequent proceedings of the military; a measure levelled against the meeting at Whitehall, of which the members were charged with a secret leaning to the cause of royalty†. This was sufficiently alarming; but, in ad-

* "The Humble Representation and Petition, printed by H. Hill, 1659." Thurloe, 659.

† Thurloe, 662. Ludlow, ii. 174.

- dition, the officers of the trained bands signified their adhesion to the "representation" of the army; and more than six hundred privates of the regiment formerly commanded by colonel Pride published their determination to stand by their officers in the maintenance "of the old cause*." The friends of the protector saw that it was time to act with energy; and, by
18. April their influence in the lower house, carried the following votes: that no military meetings should be held without the joint consent of the protector and the parliament, and that every officer should forfeit his commission who would not promise, under his signature, never to disturb the sitting, or infringe the freedom of parliament. These votes met, indeed, with a violent opposition in the "other house," in which many of the members had been chosen from the military; but the courtiers, anxious to secure the victory, proposed another and declaratory
21. vote in the commons, that the command of the army was vested in the three estates, to be exercised by the protector. By the officers this motion was considered as an open declaration of war: they instantly met; and Desborough, in their name, informed Richard that the crisis was at last come; the parliament must be dissolved, either by the civil authority, or by the power of the sword. He might make his election. If he chose the first, the army would provide for his dignity and support; if he did not, he would be abandoned to his fate, and fall friendless and unprotected†.

The protector called a council of his confidential advisers. Whitelock opposed the dissolution, on the ground that a grant of money might yet appease the discontent of the military. Thurloe, Broghill, Fiennes, and Wolseley maintained, on the contrary, that the dissension between the parliament and the army was irreconcilable; and that on the first shock between

* The Humble Representation and Petition of Field Officers, &c. of the Trained Bands. London, 1659. Burton's Diary, iv. 388, note.

† Thurloe, 555. 7, 8. 662. Burton's Diary, iv. 448—463. 472—480. Ludlow, ii. 176. 8.

them, the cavaliers would rise simultaneously in the cause of Charles Stuart. A commission was accord- April
ingly signed by Richard, and the usher of the black rod 22.
repeatedly summoned the commons to attend in the other house. But true to their former vote of receiving no message brought by inferior officers, they refused to obey; some members proposed to declare it treason to put force on the representatives of the nation, others to pronounce all proceedings void whenever a portion of the members should be excluded by violence; at last they adjourned for three days, and accompanied the speaker to his carriage in the face of the soldiery assembled at the door. These proceedings, however, did not prevent Fiennes, the head commissioner, from dissolving the parliament; and the important intelligence was communicated to the three nations by proclamation in the same afternoon*.

Whether the consequences of this measure, so fatal to the interests of Richard, were foreseen by his advisers, may be doubted. It appears that Thurloe had for several days been negotiating both with the republican and the military leaders. He had tempted some of the former, with the offer of place and emolument, to strengthen the party of the protector; to the latter he had proposed that Richard, in imitation of his father on one occasion, should raise money for the payment of the army by the power of the sword, and without the aid of parliament†. But these intrigues were now at an end: by the dissolution Richard had signed his own deposition; though he continued to reside at Whitehall, the government fell into abeyance; even the officers, who had hitherto frequented his court, abandoned him, some to appease, by their attendance at Wallingford-house, the resentment of their adversaries, the others, to provide, by their absence, for their own safety. If the

* Whitelock, 677. England's Confusion, 9. Clarendon Pap. 451. C. Ludlow, ii. 174. Merc Pol. 564.

† Thurloe, 659. 661.

supreme authority resided anywhere, it was with Fleetwood, who now held the nominal command of the army : but he and his associates were controlled both by the meeting of officers at St. James's, and by the consultations of the republican party in the city ; and therefore contented themselves with depriving the friends of Richard of their commissions, and with giving their regiments to the men who had been cashiered by his father *. Unable to agree on any form of government among themselves, they sought to come to an understanding with the republican leaders. These demanded the restoration of the long parliament, on the ground that, as its interruption by Cromwell had been illegal, it was still the supreme authority in the nation ; and the officers, unwilling to forfeit the privileges of their new peerage, insisted on the reproduction of the other house, as a co-ordinate authority, under the less objectionable name of a senate. But the country was now in a state of anarchy ; the intentions of the armies in Scotland and Ireland remained uncertain ; and the royalists, both presbyterians and cavaliers, were exerting themselves to improve the general confusion to the advantage of the exiled king. As a last resource, the officers, by an instrument in which they regretted their past errors and backsliding, invited the members of the long parliament to resume the trust of which they had

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been unrighteously deprived. With some difficulty, two-and-forty were privately collected in the painted chamber ; Lenthall, the former speaker, after much entreaty, put himself at their head, and the whole body passed into the house through two lines of officers, some of them the very individuals by whom, six years before, they had been ignominiously expelled †.

The reader will recollect that, on a former occasion, in the year 1648, the presbyterian members of the long

* See the Humble Remonstrance from four hundred Non-commissioned Officers and Privates of Major-general Goffe's Regiment (so called) of Foot. London, 1659.

† Ludlow, 179—186. Whitelock, 677. England's Confusion, 9.

parliament had been excluded by the army. Of these, one hundred and ninety-four were still alive, eighty of whom actually resided in the capital. That they had as good a right to resume their seats as the members who had been expelled by Cromwell could hardly be doubted; but they were royalists, still adhering to the principles which they professed during the treaty in the Isle of Wight, and from their number, had they been admitted, would have instantly outvoted the advocates of republicanisin. They assembled in Westminster-hall; May and a deputation of fourteen, with sir George Booth, 7. Prynne, and Annesley at their head, proceeded to the house. The doors were closed in their faces; a company of soldiers, the keepers, as they were sarcastically called, of the liberties of England, filled the lobby; and a resolution was passed that no former member, who 9. had not subscribed the engagement, should sit till further order of parliament. The attempt, however, though it failed of success, produced its effect. It served to countenance a belief that the sitting members were mere tools of the military, and supplied the royalists with the means of masking their real designs under the popular pretence of vindicating the freedom of parliament*.

By gradual additions, the house at last amounted to seventy members, who, while they were ridiculed by their adversaries with the appellation of the "Rump," constituted themselves the supreme authority in the three kingdoms. They appointed, first, a committee of

* Journ. May 9. Loyalty Banished, 3. England's Confusion, 12. On the 9th, Prynne found his way into the house, and maintained his right against his opponents till dinner-time. After dinner he returned, but was excluded by the military. He was careful, however, to inform the public of the particulars, and moreover undertook to prove that the long parliament expired at the death of the king; 1^o. on the authority of the doctrine laid down in the law-books; 2^o. because all writs of summons abate by the king's death in parliament; 3^o. because the parliament is called by a king regnant, and is *his*, the king regnant's, parliament, and deliberates on *his* business; 4^o. because the parliament is a corporation, consisting of king, lords, and commons, and if one of the three be extinct, the body corporate no longer exists. See Loyalty Banished, and a True and Perfect Narrative of what was done and spoken by and between Mr. Prynne, &c., 1650.

safety, and then a council of state, notified to the foreign ministers their restoration to power, and, to satisfy the people, promised by a printed declaration to establish a form of government, which should secure civil and religious liberty without a single person, or kingship, or house of lords. The farce of addresses was renewed; the "children of Zion," the asserters of the good old cause, clamorously displayed their joy; and Heaven was fatigued with prayers for the prosperity and permanence of the new government*.

That government at first depended for its existence on the good will of the military in the neighbourhood of London; gradually it obtained promises of support from the forces at a distance. 1°. Monk, with his officers, wrote to the speaker, congratulating him and his colleagues on their restoration to power, and hypocritically thanking them for their condescension in taking up so heavy a burthen; but, at the same time, reminding them of the services of Oliver Cromwell, and of the debt of gratitude which the nation owed to his family†. 2°. Lockhart hastened to tender the services of the regiments in Flanders, and received in return a renewal of his credentials as ambassador, with a commission to attend the conferences between the ministers of France and Spain at Fuentarabia. 3°. Montague followed with a letter from the fleet; but his professions of attachment were received with distrust. To balance his influence with the seamen, Lawson received the command of a squadron destined to cruize in the Channel; and, to watch his conduct in the Baltic, three commissioners, with Algernon Sydney at their head, were joined with him in his mission to the two northern courts‡. 4°. There still remained the army in Ireland. From Henry Cromwell, a soldier possessing the affections of the military, and believed to inherit the abilities of his father, an

* See the Declarations of the Army and the Parliament in the Journals, May 7.

† Whitelock, 678.

‡ Thurloe, 669. 670. Ludlow, ii. 199. Journals, May 7. 9. 18. 26. 31.

obstinate, and perhaps successful, resistance was anticipated. But he wanted decision. Three parties had presented themselves to his choice: to earn, by the promptitude of his acquiescence, the gratitude of the new government; or to maintain by arms the right of his deposed brother; or to declare, as he was strongly solicited to declare, in favour of Charles Stuart. Much time was lost in consultation: at length the thirst of resentment, with the lure of reward, determined him to unfurl the royal standard*; then the arrival of letters from England threw him back into his former state of irresolution: and, while he thus wavered from project to project, some of his officers ventured to profess their attachment to the commonwealth, the privates betrayed a disinclination to separate their cause from that of their comrades in England, and sir Hardress Waller, in the interest of the parliament, surprised the castle of Dublin. The last stroke reduced Henry at once to the condition of a June suppliant: he signified his submission by a letter to the 15. speaker, obeyed the commands of the house to appear before the council, and, having explained to them the state of Ireland, was graciously permitted to retire into the obscurity of private life. The civil administration of the island devolved on five commissioners, and the command of the army was given to Ludlow, with the rank of July lieutenant-general of the horse †.

But the republican leaders soon discovered that they May had not been called to repose on a bed of roses. The 15. officers at Wallingford-house began to dictate to the men whom they had made their nominal masters, and forwarded to them fifteen demands, under the modest title of "the things which they had on their minds," when they restored the long parliament ‡. The house

* Carte's Letters, ii 242. Clar. Pap. 500, 501. 516.

† Thurloe, vii. 683, 4 Journals, June 14. 27: July 4. 17 Henry Cromwell resided on his estate of Swinney abbey, near Soham, in Cambridge-shire, till his death in 1674. Noble, i. 227.

‡ See the Humble Petition and Address of the Officers, printed by Henry Hills. 1659.

took them successively into consideration. A committee was appointed to report the form of government the best calculated to secure the liberties of the people: the duration of the existing parliament was limited to twelve months; freedom of worship was extended to all believers in the Scriptures and the doctrine of the Trinity, with the usual exception of prelatists and papists; and an act of oblivion, after many debates, was passed, but so encumbered with provisos and exceptions, that it served rather to irritate than appease*. The officers had requested that lands of inheritance, to the annual value of 10,000*l.*, should be settled on Richard Cromwell, and a yearly pension of 8,000*l.* on her "highness dowager," his mother. But it was observed in the house that, though Richard exercised no authority, he continued to occupy the state apartments at Whitehall; and a suspicion existed that he was kept there as an object of terror, to intimate to the members that the same power could again set him up, which had so recently brought him down. By repeated messages, he was ordered to retire; and, on his promise to obey, the parliament granted him the privilege of freedom from arrest during six months: transferred his private debts, amounting to 29,000*l.*, to the account of the nation, gave him 2,000*l.* as a relief to his present necessities, and voted that a yearly income of 10,000*l.* should be settled on him and his heirs, a grant easily made on paper, but never carried into execution†.

But the principal source of disquietude still remained. Among the fifteen articles presented to the house, the twelfth appeared, not in the shape of a request, but of a

* Declaration of General Council of Officers, 27th of October, p. 5. For the different forms of government suggested by different projectors, see Ludlow, ii. 206.

† Journals, May 16, 25; July 4. 12. 16 Ludlow (ii. 195) makes the present 20,000*l.*; but the sum of 2,000*l.* is written at length in the Journals; May 25. While he was at Whitehall, he entertained proposals from the royalists, consented to accept a title and 20,000*l.* a-year, and designed to escape to the fleet under Montague, but was too strictly watched to effect his purpose. Clar. Pap. iii. 475. 477, 8.

declaration, that the officers unanimously owned Fleetwood as "commander-in-chief of the land forces in "England." It was the point for which they had contended under Richard; and Ludlow, Vane, and Sallo-way earnestly implored their colleagues to connive at what it was evidently dangerous to oppose. But the lessons of prudence were thrown away on the rigid republicanism of Hazlerig, Sydney, Neville, and their associates, who contended that to be silent was to acknowledge in the council of officers an authority independent of the parliament. They undertook to remodel the constitution of the army. The office of lord-general was abolished; no intermediate rank between the lieutenant-general and the colonels was admitted: Fleetwood was named lieutenant-general, with the chief com-^{June}mand in England and Scotland, but limited in its dura-^{9.}tion to a short period, revocable at pleasure, and deprived of several of those powers which had hitherto been annexed to it. All military commissions were revoked, and an order was made that a committee of nine members should recommend the persons to be officers in each regiment; that their respective merits should be canvassed in the house; and that those who had passed this ordeal should receive their commissions at the table from the hand of the speaker. The object of this arrangement was plain: to make void the declaration of the military, to weed out men of doubtful fidelity, and to render the others dependent for their situations on the pleasure of the house. Fleetwood, with his adherents, resolved never to submit to the degradation, while the privates amused themselves with ridiculing the age and infirmities of him whom they called their new lord-general, the speaker Lenthall; but Hazlerig prevailed on colonel Hacker, with his officers, to conform; their example gradually drew others; and, at length, the most discontented, though with shame and reluctance, condescended to go through this humbling ceremony.

The republicans congratulated each other on their victory ; they had only accelerated their defeat*.

Ever since the death of Oliver, the exiled king had watched with intense interest the course of events in England ; and each day added a new stimulus to his hopes of a favourable issue. The unsettled state of the nation, the dissensions among his enemies, the flattering representations of his friends, and the offers of co-operation from men who had hitherto opposed his claims, persuaded him that the day of his restoration was at hand. That the opportunity might not be forfeited by his own backwardness, he announced to the leaders of the royalists his intention of coming to England, and of hazarding his life in the company of his faithful subjects. There was scarcely a county in which the majority of the nobility and gentry did not engage to rally round his standard : the first day of August was fixed for the general rising ; and it was determined in the council at Brussels that Charles should repair in disguise to the coast of Bretagne, where he might procure a passage into Wales or Cornwall ; that the duke of York, with six hundred veterans furnished by the prince of Condé, should attempt to land from Boulogne on the coast of Kent ; and that the duke of Gloucester should follow from Ostend with the royal army of four thousand men, under the marshal Mar-in. Unfortunately his concerns in England had been hitherto conducted by the council called The Knot, at the head of which was sir Richard Willis. Willis, the reader is aware, was a traitor ; but it was only of late that the eyes of Charles had been opened to his perfidy by Morland, the secretary of Thurloe, who, to make his own peace, sent to the court at Bruges some of the original communications in the writing of Willis. This discovery astonished and perplexed the king. To make public the conduct of the

* *Journals*, passim. Ludlow, ii. 197. Declaration of Officers, 6. Thurloe, 679. Clarend. Hist. iii. 665.

traitor was to provoke him to further disclosures: to conceal it, was to connive at the destruction of his friends, and the ruin of his own prospects. He first instructed his correspondents to be reserved in their communications with "the Knot;" he then ordered Willis to meet him on a certain day at Calais; and, when this order was disregarded, openly forbade the royalists to give him information, or to follow his advice*.

But these precautions came too late. After the deposition of the protector, Willis had continued to communicate with Thurloe, who, with the intelligence which he thus obtained, was enabled to purchase the forbearance of his former opponents. At an early period in July, the council was in possession of the plan of the royalists. Reinforcements were immediately demanded from the armies in Flanders and Ireland; directions were issued for a levy of fourteen regiments of one thousand men each; measures were taken for calling out the militia; numerous arrests were made in the city and every part of the country; and the known cavaliers were compelled to leave the metropolis, and to produce security for their peaceable behaviour. These proceedings seemed to justify Willis in representing the attempt as hopeless; and, at his persuasion, "the Knot" by circular letters forbade the rising, two days before the appointed time. The royalists were thrown into irremediable confusion. Many remained quiet at their homes; many assembled in arms, and dispersed on account of the absence of their

* Clar. Pap. iii. 514. 7, 8, 20. 4. 6 9. 31 5, 6. Willis maintained his innocence, and found many to believe him. Echard (p. 729) has published a letter with Morland's signature, in which he is made to say that he never sent any of the letters of Willis to the king, nor even so much as knew his name: whence Harris (ii. 215) infers that the whole charge is false. That, however, it was true, no one can doubt who will examine the proofs in the Clarendon Papers (iii. 518. 26. 9. 33. 5. 6 42. 9. 56. 8. 62. 3. 74. 83. 5). and in Carte's Collection of Letters (ii. 220. 56. 84.). Indeed, the letter from Willis of the 9th of May, 1660, soliciting the king's pardon, leaves no room for doubt. (Clar. Pap. 644.) That Morland was the informer, and, consequently, the letter in Echard is a forgery, is also evident from the reward which he received at the restoration, and from his own admission to Pepys. See Pepys, i. 79. 82. 133, 8vo. See also "Life of James II." 370.

associates; in some counties the leaders were intercepted in their way to the place of rendezvous; in others as soon as they met, they were surrounded or charged by a superior force. In Cheshire alone was the royal standard successfully unfurled by sir George Booth, a person of considerable influence in the county, and a recent convert to the cause of the Stuarts. In the letter
 Aug.
2.
 which he circulated, he was careful to make no mention of the king, but called on the people to defend their rights against the tyranny of an insolent soldiery and a pretended parliament. "Let the nation freely choose its representatives, and those representatives as freely sit without awe or force of soldiery." This was all that he sought: in the determination of such an assembly, whatever that determination might be, both he and his friends would cheerfully acquiesce*. It was in effect a rising on the presbyterian interest; and the proceedings were in a great measure controlled by a committee of ministers, who scornfully rejected the aid of the catholics, and received with jealousy sir Thomas Middleton, though of their own persuasion, because he openly avowed himself a royalist.

At Chester, the parliamentary garrison retired into the castle, and the insurgents took possession of the city. Each day brought to them a new accession of strength; and their apparent success taught them to augur equally well of the expected attempts of their confederates throughout the kingdom. But the unwelcome truth could not long be concealed; and when they learned that they stood alone, that every other rising had been either prevented or instantly suppressed, and that Lambert was hastening against them with four regiments of cavalry and three of foot, their confidence was exchanged for despair; every gentleman, who had risked his life in the attempt, claimed a right to give his advice; and their counsels, from fear, inexperience, and misinformation,

* *Parl. Hist.* xxiii. 107.

became fluctuating and contradictory. After much Aug.
 hesitation, they resolved to proceed to Nantwich and 16.
 defend the passage of the Weever; but so rapid had
 been the march of the enemy, who sent forward part of
 the infantry on horseback, that the advance was already
 arrived in the neighbourhood; and, while the royalists 18.
 lay unsuspecting of danger in the town, Lambert forced
 the passage of the river at Winnington. In haste, they 19.
 fled out of Nantwich into the nearest fields; but here
 they found that most of their ammunition was still at
 Chester; and, on the suggestion that the position was
 unfavourable, hastened to take possession of a neigh-
 bouring eminence. Colonel Morgan, with his troop, at-
 tempted to keep the enemy in check: he fell, with thirty
 men; and the rest of the insurgents, at the approach of
 their adversaries, turned their backs and fled. Three
 hundred were made prisoners in the pursuit, and few
 of the leaders had the good fortune to escape. The earl
 of Derby, who had raised men in Lancashire to join the
 royalists, was taken in the disguise of a servant. Booth, 21.
 dressed as a female, and riding on a pillion, took the
 direct road for London, but betrayed himself at Newton
 Pagnell by his awkwardness in alighting from the horse.
 Middleton, who was eighty years old, fled to Chirk
 castle; and, after a defence of a few days, capitulated, 24.
 on condition that he should have two months to make his
 peace with the parliament*.

The news of this disaster reached the duke of York at
 Boulogne, fortunately on the very evening on which he
 was to have embarked with his men. Charles received
 it at Rochelle, whither he had been compelled to proceed
 in search of a vessel to convey him to Wales. Aban-
 doning the hopeless project, he instantly continued his
 journey to the congress at Fuentarabia, with the delusive
 expectation that, on the conclusion of peace between the

* Clar. Hist. iii. 672—675. Clar. Pap. iii. 673, 4. Ludlow, ii. 223
 Whitelock, 683. Carte's Letters, 194, 202. Lambert's Letter, printed for
 Thomas Neucombe, 1569.

two crowns, he should obtain a supply of money, and perhaps still more substantial aid, from a personal interview with the ministers, cardinal Mazarin and don Louis de Haro*. Montague, who had but recently become a proselyte to the royal cause, was drawn by his zeal into the most imminent danger. As soon as he heard of the insurrection, he brought back the fleet from the Sound in defiance of his brother commissioners, with the intention of blockading the mouth of the Thames, and of facilitating the transportation of troops. On his arrival he learned the failure of his hopes; but boldly faced the danger, appeared before the council, and assigned the want of provisions as the cause of his return. They heard him with distrust; but it was deemed prudent to dissemble, and he received permission to withdraw†.

- Aug. 22. To reward Lambert for this complete, though almost bloodless, victory, the parliament voted him the sum of 1,000*l.*, which he immediately distributed among his officers. But while they recompensed his services, they were not the less jealous of his ambition. They remembered how instrumental he had been in raising Cromwell to the protectorate; they knew his influence in the army; and they feared his control over the timid, wavering mind of Fleetwood, whom he appeared to govern in the same manner as Cromwell had governed Fairfax. It had been hoped that his absence on the late expedition would afford them leisure to gain the officers remaining in the capital; but the unexpected rapidity of his success had defeated their policy; and, in a short time, the intrigue which had been interrupted by the insurrection was resumed. While Lambert hastened back to the capital, his army followed by slow marches; and at Derby the officers subscribed a petition which had
Sept. 14. been clandestinely forwarded to them from Wallingford-

* Both promised to aid him secretly, but not in such manner as to give offence to the ruling party in England. *Clar. Pap.* iii. 642.

† *Journals*, Sep. 16. *Clar. Pap.* iii. 551. *Carte's Letters*, ii. 210-236. *Pepys' Memoirs*, i. 137.

house. In it they complained that adequate rewards were not conferred on the deserving; and demanded that the office of commander-in-chief should be given to Fleetwood without limitation of time, and the rank of major-general to their victorious leader: that no officer should be deprived of his commission without the judgment of a court-martial; and that the government should be settled in a house of representatives and a permanent senate. Hazlerig, a man of stern republican principles, and of a temper hasty, morose, and ungovernable, obtained a sight of this paper, denounced it as an attempt to subvert the parliament, and moved that Lambert, its author, should be sent to the Tower: but his violence was checked by the declaration of Fleetwood, that Lambert knew nothing of its origin: and the house contented itself with ordering all copies of the obnoxious petition to be delivered up, and with resolving that “to
 “augment the number of general officers was needless
 “chargeable, and dangerous*.” From that moment a breach was inevitable. The house, to gratify the soldiers, had advanced their daily pay; and, with the view of discharging their arrears, had raised the monthly assessment from 35,000*l.* to 100,000*l.*† But the military leaders were not to be diverted from their purpose. Meetings were daily and nightly held at Wallingford-house; and another petition with two hundred and thirty signatures was presented by Desborough, accompanied by all the field-officers in the metropolis. In most points it was similar to the former; but it contained a demand that, whosoever should afterwards “ground-
 “lessly and causelessly inform the house against their
 “servants, thereby creating jealousies, and casting
 “scandalous imputations upon them, should be brought
 “to examination, justice, and condign punishment.” This was a sufficient intimation to Hazlerig and his party to provide for their own safety. Three regiments,

* Journals, Aug. 23; Sep. 22, 23. Ludlow, ii. 225. 7. 233. 244.

† Journals, May 31; Aug. 18; Sept. 1.

- through the medium of their officers, had already made the tender of their services for the protection of the house; Monk, from Scotland, and Ludlow, from Ireland, wrote that their respective armies were animated with
- Oct. similar sentiments; and a vote was passed and ordered
11. to be published, declaring it to be treason to levy money on the people without the previous consent of parliament, a measure which, as all the existing taxes were to expire on the first day of the ensuing year, made the military dependent for their future subsistence on the pleasure of the party. Hazlerig, thus fortified, deemed
 12. himself a match for his adversaries: the next morning he boldly threw down the gauntlet; by one vote, Lambert, Desborough, six colonels, and one major, were deprived of their commissions for having subscribed the copy of the petition sent to colonel Okey; and, by a second, Fleetwood was dismissed from his office of commander-in-chief, and made president of a board of seven members established for the government of the army. Aware, however, that he might expect resistance, the republican chieftain called his friends around him during the night; and, at the dawn of day, it was discovered
 13. that King-street and the Palace-yard were in the possession of two regiments of foot and four troops of horse, loudly protesting that they would live and die with the parliament*.

Lambert mustered about three thousand men. His first care was to intercept the access of members to the house, and to prevent the egress of the militia from the city. He then marched to Westminster. Meeting the speaker, who was attended by his guard, he ordered the officer on duty to dismount, gave the command to major Creed, one of those who had been deprived of their commissions by the preceding vote, and scornfully directed him to conduct the "lord-general" to Whitehall, whence

* Journals, Sept. 28; Oct. 5, 10, 11, 12. Indlow, ii. 229, 247. Carte's Letters, ii. 246. Thurlow, vii. 755. Declaration of General Council of Officers, 9—16. True Narrative of the Proceedings in Parliament, Council of State, &c., published by special order, 1659. Printed by John Redmayne.

he was permitted to return to his own house. In Westminster, the two parties faced each other: but the ardour of the privates did not correspond with that of the leaders; and, having so often fought in the same ranks, they showed no disposition to imbrue their hands in each other's blood. In the mean time the council of state assembled: on the one side Lambert and Desborough, on the other Hazlerig and Morley, appeared to support their pretensions; much time was spent in complaint and recrimination, much in hopeless attempts to reconcile the parties; but the cause of the military continued to make converts; the advocates of the "rump," aware that to resist was fruitless, consented to yield; and it was stipulated that the house should cease to sit, that the council of officers should provide for the public peace, arrange a new form of government, and submit it to the approbation of a new parliament. An order, that the forces on both sides should retire to their respective quarters, was gladly obeyed: the men mixed together as friends and brothers, and reciprocally promised never more to draw the sword against each other*.

Thus a second time the supreme authority devolved on the meeting at Wallingford-house. They immediately established their favourite plan for the government of the army. The office of commander-in-chief, in its plenitude of power, was conferred on Fleetwood; the rank of major-general of the forces in Great Britain was given to Lambert; and the officers who refused to subscribe a new engagement were removed from their commands. At the same time they annulled by their supreme authority all proceedings in parliament on the 10th, 11th, and 12th of October, vindicated their own conduct in a publication with the title of "The Army's Plea†," vested the provisional exercise of the civil

* Whitelock, 685. Journals, Oct. 13. Clar Pap. iii. 581 590. Ludlow, ii. 247—251. Ludlow's account differs considerably from that by Whitelock. But the former was in Ireland, the latter present at the council.

† See Declaration of the General Council of Officers, 17. The Army's Plea for its Present Practice, printed by Henry Hills, printer to the army,

Oct 26. authority in a committee of safety of twenty-three members, and denounced the penalties of treason against all who should refuse to obey its orders, or should venture to levy forces without its permission. An attempt was even made to replace Richard Cromwell in the protectorial dignity: for this purpose he came from Hampshire to London, escorted by three troops of horse; but his supporters were out-voted by a small majority, and he retired to Hampton court †

Of all the changes which had surprised and perplexed the nation since the death of the last king, none had been received with such general disapprobation as the present. It was not that men lamented the removal of the rump; but they feared the capricious and arbitrary rule of the army; and, when they contrasted their unsettled state with the tranquillity formerly enjoyed under the monarchy, many were not backward in the expression of their wishes for the restoration of the ancient line of their princes. The royalists laboured to improve this favourable disposition: yet their efforts might have been fruitless, had the military been united among themselves. But among the officers there were several who had already made their peace with Charles by the promise of their services, and many who secretly retained a strong attachment to Hazlrig and his party in opposition to Lambert. In Ireland, Barrow, who had been sent from Wallingford-house, found the army so divided and wavering, that each faction alternately obtained a

1659, is in many parts powerfully written. The principal argument is, that as the parliament, though bound by the solemn league and covenant to defend the king, his person, honour, and dignity, did not afterwards scruple to arraign, condemn, and execute him because he had broken his trust, so the army, though they had engaged to be true and faithful to the parliament, might lawfully use against it, when they found that it did not preserve the just rights and liberties of the people. This condition was implied in the engagement: otherwise the making of the engagement would have been a sin, and the keeping thereof would have been a sin also, and so an adding of sin to sin.

† Whitlock, 685, 6. Indlow, ii 240 246 7. Clu Pap 591. At the restoration, Richard, to escape from his creditors, fled to the continent, and, after his expatriation of almost twenty years, returned to England to the neighbourhood of Cheshunt, where he died in 1713, at the age of eighty-six. Noble, i 228.

short and precarious superiority; and in Scotland, Cobbet, who arrived there on a similar mission, was, with seventeen other officers who approved of his proposals, imprisoned by order of Monk*.

From this moment the conduct of Monk will demand a considerable share of the reader's attention. Ever since the march of Cromwell in pursuit of the king to Worcester he had commanded in Scotland; where, instead of concerning himself with the intrigues and parties in England, he appeared to have no other occupation than the duties of his place, to preserve the discipline of his army, and enforce the obedience of the Scots. His despatches to Cromwell form a striking contrast with those from the other officers of the time. There is in them no parade of piety, no flattery of the protector, no solicitation for favours. They are short, dry, and uninteresting, confined entirely to matters of business, and those only of indispensable necessity. In effect, the distinctive characteristic of the man was an impenetrable secrecy†. Whatever were his predilections or opinions, his wishes or designs, he kept them locked up within his own breast. He had no confidant, nor did he ever permit himself to be surprised into an unguarded avowal. Hence all parties, royalists, protectors and republicans, claimed him for their own, though that claim was grounded on *their* hopes, not on *his* conduct. Charles had been induced to make to him repeatedly the most tempting offers, which were supported by the solicitations of his wife and his domestic chaplain; and Monk listened to them without displeasure, though he never unbosomed himself to the agents or the chaplain so far as to put himself in their

* Ludlow, ii. 237. 252. 259. 262. 300. Clar. Pap. iii. 591. Carte's Letters, 266.

† "His natural taciturnity was such, that most of his friends, who thought they knew him best, looked upon George Monk to have no other craft in him than that of a plain soldier, who would obey the parliament's orders, and see that his own were obeyed." Price, *Mystery and Method of his Majesty's happy Restoration*, in *Select Tracts relating to the Civil Wars in England*, published by Baron Maseres, ii. 700.

power. Cromwell had obtained some information of these intrigues; but, unable to discover any real ground of suspicion, he contented himself with putting Monk on his guard by a bantering postscript to one of his letters. " 'Tis said," he added, "there is a cunning fellow in Scotland, called George Monk, who lies in wait there to serve Charles Stuart; pray use your diligence to take him and send him up to me *." After the fall of the protector Richard, he became an object of greater distrust. To undermine his power, Fleetwood ordered two regiments of horse attached to the Scottish army to return to England; and the republicans, when the military commissions were issued by the speaker, removed a great number of his officers, and supplied their places with creatures of their own. Monk felt these affronts: discontent urged him to seek revenge; and, when he understood that Booth was at the head of a considerable force, he dictated a letter to the speaker, complaining of the proceedings of parliament, and declaring that, as they had abandoned the real principles of the old cause, they must not expect the support of his army. His object was to animate the insurgents and embarrass their adversaries; but, on the very morning Aug. 22. on which the letter was to be submitted for signature to his principal officers, the news of Lambert's victory arrived; the dangerous instrument was instantly destroyed, and the secret most religiously kept by the few who had been privy to the intention of the general †.

To this abortive attempt Monk, notwithstanding his wariness, had been stimulated by his brother, a clergyman of Cornwall, who visited him with a message from sir John Grenville by commission from Charles Stuart. After the failure of Booth, the general dismissed him with a letter of congratulation to the parliament, but without any answer to Grenville, and under an oath of secrecy both as to his past and to his future projects ‡.

* Price, 712

† Price, 711. 716. 721.

‡ All that Grenville could learn from the messenger was, that his brother

But the moment he heard of the expulsion of the mem- Oct.
bers, and of the superior rank conferred on Lambert, he 17.
determined to appear openly as the patron of the van-
quished, under the alluring, though ambiguous, title of
"asserter of the ancient laws and liberties of the
"country." Accordingly, he secured with trusty gar- 18.
risons the castle of Edinburgh and the citadel of Leith,
sent a strong detachment to occupy Berwick, and took
the necessary measures to raise and discipline a numerous
force of cavalry. At Leith was held a general council
of officers: they approved of his object, engaged to stand
by him, and announced their determination by letters
directed to Lenthall, the speaker, to the council at Wal-
lingford-house, and to the commanders of the fleet in
the Downs, and of the army in Ireland. It excited,
however, no small surprise, that the general, while he
thus professed to espouse the defence of the parliament,
cashiered all the officers introduced by it into his army,
and restored all those whom it had expelled. The more
discerning began to suspect his real intentions*; but
Hazlerig and his party were too elated to dwell on the
circumstance, and, under the promise of his support,
began to organize the means of resistance against their
military oppressors.

Monk soon discovered that he was embarked in a
most hazardous undertaking. The answers to his letters
disapproved of his conduct; and the knowledge of these
answers kindled among his followers a spirit of disap-
regretted the failure of Booth, and would oppose the arbitrary attempts of
the military in England; an answer which, though favourable as far as it
went, still left the king in uncertainty as to his real intentions. *Clar.*
Pap. iii. 618.

* Ludlow, ii. 269. Whitelock, 686 689. 691. Price, 736, 743. Skinner,
106—9 Monk loudly asserted the contrary. "I do call God to witness,"
he says in the letter to the speaker, Oct. 20, "that the asserting of a
"commonwealth is the only intent of my heart." *True Narrative*, 28.
When Price remonstrated with him, he replied: "You see who are about
"me and write these things. I must not show any dislike of them. I
"perceive they are jealous enough of me already." Price, 746. The fact
probably was, that Monk was neither royalist nor republican: that he
sought only his own interest, and had determined to watch every turn of
affairs, and to declare at last in favour of that party which appeared most
likely to obtain the superiority.

fection which led to numerous desertions. From the general of an army obedient to his commands, he had dwindled into the leader of a volunteer force, which it was necessary to coax and persuade. Two councils were formed, one of the colonels of the longest standing, the other of all the commissioned officers. The first perused the public despatches received by the general, and wrote the answers, which were signed by him as the president; the other was consulted on all measures respecting the conduct of the army, and confirmed or rejected the opinion of the colonels by the majority of voices. But if Monk was controlled by this arrangement, it served to screen him from suspicion. The measures adopted were taken as the result of the general will.

To the men at Wallingford-house it became of the first importance to win by intimidation, or to reduce by force, this formidable opponent. Lambert marched against him from London at the head of seven thousand men; but the mind of the major-general was distracted by doubts and suspicions; and, before his departure, he exacted a solemn promise from Fleetwood to agree to no accommodation, either with the king or with Hovellrig, till he had previously received the advice and concurrence of Lambert himself*. To Monk delay was as necessary as expedition was desirable to his opponents. In point of numbers and experience the force under his command was no match for that led by Lambert; but his magazines and treasury were amply supplied, while his adversary possessed not money enough to keep his army together for more than a few weeks. Before the major-general reached Newcastle, he met three deputies from Monk on their way to treat with the council in the capital. As no arguments could induce them to open the negotiation with him, he allowed them to proceed, and impatiently awaited the result. After

* See the Conferences of Ludlow and Whitelock with Fleetwood; Ludlow, ii. 277. Whitelock, 690.

much discussion, an agreement was concluded in London; but Monk, instead of ratifying it with his signature, discovered, or pretended to discover, in it much that was obscure or ambiguous, or contrary to his instructions; his council agreed with him in opinion; and a second negotiation was opened with Lambert at Newcastle, to obtain from him an explanation of the meaning of the officers in the metropolis. Thus delay was added to delay; and Monk unproved the time to dismiss even the privates whose sentiments were suspected, and to fill up the vacancies in the regiments of infantry by levies among the Scots. At the same time he called a convention of the Scottish estates at Berwick, of two representatives from each county and one from each borough, recommended to them the peace of the country during his absence, and obtained from them the grant of a year's arrears of their taxes, amounting to 60,000*l.* in addition to the excise and customs. He then fixed his head quarters at Coldstream*. Nov. 19.
Dec. 8.

In the mean while, the detention of Lambert in the north by the artifices of Monk had given occasion to many important events in the south. Within the city several encounters had taken place between the military and the apprentices†; a free parliament had become the general cry; and the citizens exhorted each other to pay no taxes imposed by any other authority. Lawson, though he wavered at first, declared against the army, and advanced with his squadron up the river as far as Gravesend. Hazlerig and Morley were admitted into Portsmouth by the governor, were joined by the force sent against them by Fleetwood, and marched towards London, that they might open a communication with the fleet in the river. Alarm produced in the committee of 17.

* Price, 741—4. Whitelock, 688, 9. Ludlow, 269, 271. 273. Skinner, 161, 4.

† The posts occupied by the army within the city were, "St. Paul's church, the Royal Exchange, Peeter-house in Alder-gate-street, and Bernot's castle, Gresham coledge, Sion coledge. Without London, were the Muses, Sumersett-house, Whitehall, St. James's, Scotland-yard." MS. Diary by Thomas Rugge.

safety the most contradictory counsels. A voice ventured to suggest the restoration of Charles Stuart ; but it was replied, that their offences against the family of Stuart were of too black a dye to be forgiven ; that the king might be lavish of promises now that he stood in need of their services ; but that the vengeance of parliament would absolve him from the obligation, when the monarchy should once be established. The final resolution was to call a new parliament against the 24th of January, and to appoint twenty-one conservators of the public peace during the interval. But they reckoned on an authority which they no longer possessed. The fidelity of the common soldiers had been shaken by the letters of Monk, and the declaration of Lawson. Putting themselves under the command of the officers who had been

Dec. 24. lately dismissed, they mustered in Lincoln's-inn-fields, marched before the house of Lenthall in Chancery-lane, and saluted him with three volleys of musketry as the representative of the parliament and lord-general of the army. Desborough, abandoned by his regiment, fled in despair towards Lambert ; and Fleetwood, who for some days had done nothing but weep and pray, and complain that " the Lord had spit in his face," tamely endeavoured to disarm by submission the resentment of his adversaries. He sought the speaker, fell on his knees before him, and surrendered his commission*.

26. Thus the rump was again triumphant. The members, with Lenthall at their head, resumed possession of the house amidst the loud acclamations of the soldiery. Their first care was to establish a committee for the government of the army, and to order the regiments in the north to separate and march to their respective quarters. Of those among their colleagues who had supported the late committee of safety, they excused some, and punished others by suspension, or exclusion, or imprisonment : orders were sent to Lambert and the

* Ludlow, 268 276. 282. 7. 9. 290. 6. 8. Whitelock, 689. 690. 1. Clar. Rap. 625. 9. 636. 641. 7.

most active of his associates to withdraw from the army to their homes, and then instructions were given to the magistrates to take them into custody. A council of state was appointed, and into the oath to be taken by the members was introduced a new and most comprehensive abjuration of kingship and the family of Stuart. All officers commissioned during the interruption by any other authority than that of Monk were broken: the army was entirely re-modelled; and the time of the house was daily occupied by the continued introduction of officers to receive their commissions in person from the hand of the speaker*."

In the mean while, Monk, to subdue or disperse the army of Lambert, had raised up a new and formidable enemy in his rear. Lord Fairfax was become a convert to the cause of monarchy: to him the numerous royalists in Yorkshire looked up as leader; and he, on the solemn assurance of Monk, that he would join him within twelve days or perish in the attempt, undertook to call together his friends, and to surprise the city of York. On the first day of the new year, each performed his Jan. promise. The gates of York were thrown open to 1. Fairfax by the cavaliers confined within its walls †; and Monk, with his army, crossed the Tweed on his march against the advanced posts of the enemy. Thus the flame of civil war was again kindled in the north: within two days it was again extinguished. The messenger from parliament ordered Lambert's forces to withdraw to their respective quarters. Dispirited by the defection of the military in the south, they dared not disobey: at Northallerton the officers bade adieu with tears to their general; and Lambert retired in privacy to a house which he possessed in the county. Still, though the weather was severe, though the roads were deeply covered with snow, Monk continued his march; 12.

* Journals. Dec. 26; Jan. 31.

† That the rising under Fairfax was in reality a rising of royalists, and prompted by the promises of Monk, is plain from the narrative of Monkton, in the Lansdowne MSS. No. 983, f. 320, 334. See also Price, 748.

and, at York, spent five days in consultation with Fairfax; but to the advice of that nobleman, that he should remain there, assume the command of their united forces, and proclaim the king, he replied that, in the present temper of his officers, it would prove a dangerous, a pernicious, experiment. On the arrival of what he had long expected, an invitation to Westminster, he resumed his march, and Fairfax, having received the
 Jan. 16. thanks of the parliament, disbanded his insurrectionary force*.

At York, the general had named an officer who
 19. charged him with the design of restoring the kingly government; at Nottingham, he prevented with difficulty the officers from signing an engagement to obey the parliament in all things "except the bringing in of Charles Stuart;" and at Leicester, he was compelled to
 23. suffer a letter to be written in his name to the petitioners from Devonshire, stating his opinion that the monarchy could not be re-established, representing the danger of recalling the members excluded in 1648, and inculcating the duty of obedience to the parliament as it was then constituted†. Here he was met by two of the most active members, Scot and Robinson, who had been commissioned to accompany him during his journey, under the pretence of doing him honour, but, in reality, to sound his disposition, and to act as spies on his conduct. He received them with respect as the representatives of the sovereign authority; and so flattered were they by his attentions, so duped by his wariness, that they could not see through the veil which he spread over his intentions. As he advanced, he received at every stage addresses from boroughs, cities, and counties, praying him to restore the excluded members, and to procure a free and a full parliament. With much affectation of humility, Monk referred the deputies to the two delegates of the supreme power, who haughtily rebuked them for their

* Price, 749—753. Skinner, 196. 200. 205. Journals, Jan. 6.

† Price, 754. Kennet's Register, 32.

officiousness, while the friends of Monk laboured to keep alive their hopes by remote hints and obscure predictions *.

To lull the jealousy of the parliament, Monk had taken with him from York no more than five thousand men, a force considerably inferior to that which was quartered in London and Westminster. But from St. Jan Alban's he wrote to the speaker, requesting that five 28. of the regiments in the capital might be removed before his arrival, alleging the danger of quarrels and seduction, if his troops were allowed to mix with those who had been so recently engaged in rebellion. The order was instantly made; but the men refused to obey. Feb. Why, they asked, were they to leave their quarters for 2. the accommodation of strangers? Why were they to be sent from the capital, while their pay was several weeks in arrear? The royalists laboured to inflame the mutineers, and Lambert was on the watch, prepared to place himself at their head: but the distribution of a sum of money appeased their murmurs; they consented to march; and the next morning the general entered at 3. the head of his army, and proceeded to the quarters assigned to him at Whitehall †.

Soon after his arrival, he was invited to attend and receive the thanks of the house. A chair had been placed for him within the bar: he stood uncovered behind it; and, in reply to the speaker, extenuated his 6. own services, related the answers which he had given to the addresses, warned the parliament against a multiplicity of oaths and engagements, prayed them not to give any share of power to the cavaliers or fanatics, and recommended to their care the settlement of Ireland and the administration of justice in Scotland. If there was much in this speech to please, there was also much that

* Price, 754. Merc. Polit. No. 604. Philips, 595. Journals, Jan. 16.

† Price, 755. 7, 8. Jour. Jan. 30 Skinner, 219—221. Philips, 594, 5, 6. Clar. Pap. iii. 666. 668. Pepys, i. 19. 21

gave offence. Scot observed that the servant had already learned to give directions to his masters*.

As a member of the council of state, he was summoned to abjure the house of Stuart, according to the late order of parliament. He demurred. Seven of the counsellors, he observed, had not yet abjured, and he wished to know their reasons, for the satisfaction of his own conscience. Experience had shown that such oaths were violated as easily as they were taken, and to him it appeared an offence against Providence to swear never to acquiesce in that which Providence might possibly ordain. He had given the strongest proofs of his devotion to parliament: if these were not sufficient, let them try him again; he was ready to give more†.

The sincerity of this declaration was soon put to the test. The loyal party in the city, especially among the moderate presbyterians, had long been on the increase. At the last elections the common council had been filled with members of a new character; and the declaration which they issued demanded "a full and free parliament, according to the ancient and fundamental laws of the land." Of the assembly sitting in Westminster, as it contained no representative from the city, no notice was taken; the taxes which it had imposed were not paid; and the common council, as if it had been an indepen-

* Journals, Feb. 6. New Parl. Hist. iii. 1575. Philips, 597. Price, 759. The lord-general Monk, his Speech. Printed by J. Macock, 1660.

† Guiblie, 224. Price, 759, 760. Philips, 595. About this time, a parcel of letters to the king, written by different persons in different ciphers, and entrusted to the care of a Mr. Leonard, was intercepted by Lockhart at Dunkirk, and sent by him to the council. When the writers were first told that the letters had been deciphered, they laughed at the information as of a thing impracticable; but were soon undeceived by the decipherer, who sent to them by the son of the bishop of Ely copies of their letters in cipher, with a correct interlineary explanation of each. They were astonished and alarmed; and, to save themselves from the consequences of the discovery, purchased of him two of the original letters at the price of 300*l*. Compare Barwick's Life, 171, and App. 402. 412 5. 422, with the correspondence on the subject in the Clarendon Papers, iii. 668. 681. 696. 700. 715. After this, all letters of importance were conveyed through the hands of Mrs. Mary Knatchbull, the abbess of the English convent in Gand.

dent authority, received and answered addresses from the neighbouring counties. This contumacy, in the opinion of the parliamentary leaders, called for prompt and exemplary punishment; and it was artfully suggested that, by making Monk the minister of their vengeance, they should open a wide breach between him and their opponents. Two hours after midnight he received an order to march into the city, to arrest eleven Feb. 9. of the principal citizens, to remove the posts and chains which had lately been fixed in the streets, and to destroy the portcullises and the gates. After a moment's hesitation, he resolved to obey rather than hazard the loss of his commission. The citizens received him with groans and hisses; the soldiers murmured; the officers tendered their resignations. He merely replied that his orders left nothing to his discretion; but the reply was made with a sternness of tone, and a gloominess of countenance, which showed, and probably was assumed to show, that he acted with reluctance and with self-reproach*.

As soon as the posts and chains were removed, Monk suggested, in a letter to the speaker, that enough had been done to subdue the refractory spirit of the citizens. But the parliamentary leaders were not satisfied: they voted that he should execute his former orders; and the demolition of the gates and portcullises was effected. The soldiers loudly proclaimed their discontent: the general, mortified and ashamed, though he had been instructed to quarter them in the city, led them back to Whitehall†. There, on the review of these proceedings, he thought that he discovered proofs of a design, first to commit him with the citizens, and then to discard him entirely. For the house, while he was so ungraciously employed, had received, with a show of favour, a petition from the celebrated Praise-God Barebone, praying that

* Journ. Feb. 9. PIERCE, 761. Ludlow, in. 336. Clar. Pap. iii. 674. 691. Gumble, 236. Skinner, 231—7.

† Journ. Feb. 9. Philips, 599.

no man might sit in parliament, or hold any public office, who refused to abjure the pretensions of Charles Stuart, or of any other single person. Now this was the very case of the general, and his suspicions were confirmed by the reasoning of his confidential advisers. Feb. 10. With their aid, a letter to the speaker was prepared the same evening, and approved the next morning by the council of officers. In it the latter were made to complain that they had been rendered the instruments of personal resentment against the citizens, and to require that by the following Friday every vacancy in the house should be filled up, preparatory to its subsequent dissolution and the calling of a new parliament. Without waiting for an answer, Monk marched back into Finsbury-fields: at his request, a common council (that body had recently been dissolved by a vote of the parliament) was summoned; and the citizens heard from the mouth of the general, that he, who yesterday had come among them as an enemy by the orders of others, was come that day as a friend by his own choice; and that his object was to unite his fortune with theirs, and by their assistance to obtain a full and free parliament for the nation. This speech was received with the loudest acclamations. The bells were tolled; the soldiers were feasted; bonfires were lighted; and, among the frolics of the night was "the roasting of the rump," a practical joke which long lived in the traditions of the city. Scot and Robinson, who had been sent to lead back the general to Whitehall, slunk away in secrecy, that they might escape the indignation of the populace*.

At Westminster, the parliamentary leaders affected a

* Price, 765—8. Clar Pap iii 681 692. 714 Ludlow, 337. Gumble, 249. Skinner, 237—243 Old Parl. Hist xxi 94 Pepys, i. 24, 25. "At Strand-lane I could at one time tell thirty-one fires; in King-street, seven or eight, and all along burning, and roasting, and drinking for rumps, there being rumps tied upon sticks, and carried up and down. The butchers at the May-pole in the Strand rang a peal with their knives, when they were going to sacrifice their rump. On Ludgate hill there was one turning of the spit that had a rump tied to it, and another basting of it. Indeed it was past imagination." Ibid. 28.

calmness and intrepidity which they did not feel. Of the insult offered to their authority they took no notice ; but, as an admonition to Monk, they brought in a bill Feb. to appoint his rival, Fleetwood, commander-in-chief in 11. England and Scotland. The intervention of the Sunday allowed more sober counsels to prevail. They solicited the general to return to Whitehall ; they completed the bill for the qualifications of the candidates and the electors ; and, on the day fixed by the letter of the 17. officers, ordered writs to be issued for the filling up of the vacancies in the representation. This measure had been forced upon them. yet they had the ingenuity to make it subservient to their own interest, by inserting a provision in the act, that no man should choose or be chosen, who had not already bound himself to support a republican form of government. But immediately the members excluded in 1648 brought forward their claim to sit, and Monk assumed the appearance of the most perfect indifference between the parties. At his invitation, nine of the leaders on each side argued the case before him and his officers ; and the result was, that the latter expressed their willingness to support the secluded members, on condition that they should pledge themselves to settle the government of the army, to raise money to pay the arrears to issue writs for a new parliament to sit on the 20th of April, and to dissolve themselves before that period. The general returned to 21. Whitehall : the secluded members attended his summons ; and, after a long speech, declaratory of his persuasion that a republican form of government and a moderate presbyterian kirk were necessary to secure and perpetuate the tranquillity of the nation, he advised them to go and resume their seats. Accompanied by a great number of officers, they walked to the house ; the guard, under the command of sir Anthony Ashley Cooper, opened to let them pass ; and no opposition was made by the speaker or the members *. Hazlerig, how-

* Journals, Feb. 11. 13. 15. 17. 21. Price, 768-773. Ludlow, n. 345.

ever, and the more devoted of his adherents, rose, and withdrew—a fortunate secession for the royalists: otherwise, with the addition of those among the restored members who adhered to a commonwealth, the republicans might on many questions have still commanded a majority*.

To the cavaliers, the conduct of Monk on this occasion proved a source of the most distressing perplexity. On the one hand by introducing the secluded members he had greatly advanced the cause of royalty. For though Holles, Pierpoint, Popham and their friends, still professed the doctrines which they had maintained during the treaty in the Isle of Wight, though they manifested the same hatred of popery and prelacy, though they still inculcated the necessity of limiting the prerogative in the choice of the officers of state and in the command of the army, yet they were royalists by principle, and had, several of them, made the most solemn promises to the exiled king of labouring strenuously for his restoration. On the other hand, that Monk at the very time when he gave the law without control, should declare so loudly in favour of a republican government and a presbyterian king, could not fail to alarm both Charles and his abettors†. Neither was this the only instance: to all, cavaliers or republicans, who approached him to discover his intentions, he uniformly professed the same sentiments, occasionally confirming his professions with oaths and imprecations. To explain this inconsistency between the tendency of his actions and the purport of his language, we are told by those whom he admitted to his private counsels, that it was forced upon him by the necessity of his situation; that, without it, he must have forfeited the confidence of the

351 3 Skinner 256—264 Clai Pap 663 682 8 Gumble, 260. 3. Philips, 600 The number of secluded members then living was one hundred and ninety four, of members sitting or allowed to sit by the orders of the house, eighty nine "A Declaration of the True State of the Matter of Fact" 57.

* Hutchinson, 362

† Clai Hist. iii. 720. 1 3, 4 Papers, iii 698.

army, which believed its safety and interest to be intimately linked with the existence of the commonwealth. According to Ludlow, the best soldier and statesman in the opposite party, Monk had in view an additional object, to deceive the suspicions and divert the vigilance of his adversaries ; and so successfully had he imposed on the credulity of many (Hazlerig himself was of the number), that, in defiance of every warning, they blindly trusted to his sincerity, till their eyes were opened by the introduction of the secluded members*.

In parliament the presbyterian party now ruled with- Feb. out opposition. They annulled all votes relative to their 21. own expulsion from the house in 1548 ; they selected a new council of state, in which the most influential members were royalists ; they appointed Monk commander-in-chief of the forces in the three kingdoms, and joint commander of the fleet with admiral Montague ; they granted him the sum of 20,000*l.* in lieu of the palace at Hampton-court, settled on him by the republican party ; they discharged from confinement, and freed from the Mar. penalty of sequestration, sir George Booth and his associates, a great number of cavaliers, and the Scottish lords taken after the battle at Worcester ; they restored the common council, borrowed 60,000*l.* for the immediate pay of the army, declared the presbyterian confession of faith to be that of the church of England, ordered copies of the solemn league and covenant to be hung up in all churches, offered rewards for the apprehension of catholic priests, urged the execution of the laws against catholic recusants, and fixed the 15th of March for their own dissolution, the 25th of April for the meeting of a new parliament †.

Here, however, a serious difficulty arose. The house of commons (according to the doctrine of the secluded members, it could be nothing more) was but a single branch of the legislature. By what right could it pre-

* Price, 773. Ludlow, 349 355. Clar. Pap iii. 678. 697 703 711.

† Journals, *passim*.

tend to summon a parliament? Ought not the house of lords, the peers who had been excluded in 1649, to concur? Or rather, to proceed according to law, ought not the king either to appoint a commission to hold a parliament, as was usually done in Ireland, or to name a guardian invested with such power, as was the practice formerly, when our monarchs occasionally resided in France? But, on this point, Monk was inflexible. He placed guards at the door of the house of lords to prevent the entrance of the peers: and he refused to listen to any expedient which might imply an acknowledgment of the royal authority. To the arguments urged by
 Mar. 3. others, he replied, that the parliament according to law determined by the death of Charles I.; that the present house could justify its sitting on no other ground but that of necessity, which did not apply to the house of lords; and that it was in vain to expect the submission of the army to a parliament called by royal authority. The military had, with reluctance, consented to the restoration of the secluded members; and to ask more of them at present was to hazard all the advantages which had hitherto been obtained*.

Encouraged by the downfall of the republicans, the royalists throughout the country expressed their sentiments without restraint. In some places Charles was proclaimed by the populace; several ministers openly prayed for him in the churches; the common council, in their address, declared themselves not averse to his
 10. restoration; and the house itself was induced to repeal the celebrated engagement in favour of a commonwealth, without a single person or house of peers, and to embody under trusty officers the militia of the city and the counties, as a counterpoise to the republican interest in the army. The judges of the late king, and the purchasers of forfeited property, began to tremble. They first tempted the ambition of the lord-general with the

offer of the sovereign authority *. Rejected by him, they appealed to the military; they represented the loss of their arrears, and of the property which they had acquired, as the infallible consequences of the restoration of the royal exile; and they so far wrought on the fears of the officers, that an engagement to oppose all attempts Mar. to set up a single person was presented to Monk for his 14. signature, with a request that he would solicit the concurrence of the parliament. A second council of officers was held the next morning; the general urged the in- 15. expediency of troubling the house with new questions, when it was on the point of dissolving itself; and by the address and influence of his friends, though with considerable difficulty, he procured the suppression of the obnoxious paper. In a short time he ordered the several officers to join their respective regiments, appointed a commission to inspect and reform the different corps, expelled all the officers whose sentiments he had reason to distrust, and then demanded and obtained from the army an engagement to abstain from all interference in matters of state, and to submit all things to the authority of the new parliament †.

Nineteen years and a half had now elapsed since the long parliament first assembled—years of revolution and bloodshed, during which the nation had made the trial of

* Gumble, 270. Two offers of assistance were made to the general, on the supposition that he might aspire to the supreme power, one from the republicans which I have mentioned, another from Bordenux, the French ambassador, in the name of cardinal Mazarin. On one of these offers he was questioned by sir Anthony Ashley Cooper in the council of state. If we may believe Clarges, one of his secret advisers, it was respecting the former which Clarges mentioned to Cooper. With respect to the offer from Bordeaux, he tells us that it was made through Clarges himself, and scornfully rejected by Monk, who nevertheless consented to receive a visit from Bordenux, on condition that the subject should not be mentioned. Philips, 602 4. Locke, on the contrary, asserts that Monk accepted the offer of the French minister; that his wife, through loyalty to the king, betrayed the secret; and that Cooper put to the general such searching questions that he was confused, and, in proof of his fidelity, took away the commissions of several officers of whom the council was jealous. *Memoirs of Shaftesbury*, in Kennet's Register, 80. Locke, ix. 279. See note (†).

† Philips, 603 6. Price, 781. Kennet's Reg. 113. Thunoe, vii. 852. 9. 870. Pepsy, i. 43. Skinner, 279—284.

almost every form of government, to return at last to that form from which it had previously departed. On the 16th of March, one day later than was originally fixed, its existence, which had been illegally prolonged since the death of Charles I., was terminated by its own act*. The reader is already acquainted with its history. For the glorious stand which it made against the encroachments of the crown, it deserves both admiration and gratitude: its subsequent proceedings assumed a more ambiguous character; ultimately they led to anarchy and military despotism. But, whatever were its merits or demerits, of both posterity has reaped the benefit. To the first, we are indebted for many of the rights which we now enjoy; by the second, we are warned of the evils which result from political changes effected by violence, and in opposition to the habits and predilections of the people.

Monk had now spent more than two months in England, and still his intentions were covered with a veil of mystery, which no ingenuity, either of the royalists or of the republicans, could remove. Sir John Grenville, with whom the reader is already acquainted, paid frequent visits to him at St. James's: but the object of the cavalier was suspected, and his attempts to obtain a private interview were defeated by the caution of the general. After the dissolution, Morrice, the confidential friend of both, brought them together, and Grenville delivered to Monk a most flattering letter from the king. He received and perused it with respect. This was, he observed, the first occasion on which he could express with safety his devotion to the royal cause; but he was still surrounded with men of hostile or doubtful sentiments; the most profound secrecy was still necessary; Grenville might confer in private with Morrice, and must consent to be himself the bearer of the general's answer. The heads of that answer were reduced to writing. In it

* Journals, March 16.

Monk prayed the king to send him a conciliatory letter, which, at the proper season, he might lay before the parliament: for himself he asked nothing; he would not name, as he was desired, his reward; it was not for him to strike a bargain with his sovereign; but, if he might express his opinion, he advised Charles to promise a general or nearly general pardon, liberty of conscience, the confirmation of the national sales, and the payment of the arrears due to the army. As soon as this paper had been read, he threw it into the fire, and bade Grenville rely on his memory for its contents*.

By Charles at Brussels the messenger was received as an angel from heaven. The doubts which had so long tormented his mind were suddenly removed; the crown, contrary to expectation, was offered without previous conditions; and nothing more was required than that he should aid with his pen the efforts of the general: but when he communicated the glad tidings to Ormond, Hyde, and Nicholas, these counsellors discovered that the advice, suggested by Monk, was derogatory from the interests of the throne and the personal character of the monarch, and composed a royal declaration which, while it professed to make to the nation the promises recommended by Monk, in reality neutralized their effect, by subjecting them to such limitations as might afterwards be imposed by the wisdom of parliament. This paper was enclosed within a letter to the speaker of the house of commons; another letter was addressed to the house of lords; a third to Monk and the army; a fourth to Montague and the navy; and a fifth to the lord mayor and the city. To the general, open copies were transmitted, that he might deliver or destroy the originals as he thought fit. Notwithstanding the alterations made at Brussels, he professed himself satisfied with the de-

Mar.
26.April
2.

* Clar. Hist iii 734-6. Price, 785. Phillips, 605. Clar. Pap iii. 706. 711. From the last authorities it is plain that Mordaunt was intrusted with the secret as well as Grenville—also a Mr. Herne, probably a secret agent.

April declaration, and ordered Grenville to keep the papers in
 10. his custody, till the proper season should arrive*.

In the meanwhile, the writs for the new parliament had been issued; and, as there was no court to influence, no interference of the military to control the elections, the result may be fairly taken to express the sense of the country. The republicans, the cavaliers, the presbyterians, all made every effort in their power to procure the return of members of congenial sentiments. Of the three parties, the last was beyond comparison the most powerful, had not division paralyzed its influence. The more rigid presbyterians, though they opposed the advocates of the commonwealth because they were sectaries, equally deprecated the return of the king, because they feared the restoration of episcopacy. A much greater number, who still adhered with constancy to the solemn league and covenant, deemed themselves bound by it to replace the king on the throne, but under the limitations proposed during the treaty in the Isle of Wight. Others, and these the most active and influential, saw no danger to be feared from a moderate episcopacy; and, anxious to obtain honours and preferment, laboured by the fervour of their present loyalty to deserve the forgiveness of their past transgressions. These joined with the cavaliers; their united efforts bore down all opposition; and, in most places, their adversaries either shrunk from the contest, or were rejected by overwhelming majorities†.

But the republicans sought for aid in another direction.

* *Clar.* in. 737—740 742—751. Price, 790. Monk had been assured, probably by the French ambassador, that the Spaniards intended to detain the king at Brussels as a hostage for the restoration of Jamaica and Dunkirk. On this account he insisted that the king should leave the Spanish territory, and Charles, having informed the governor of his intention to visit Breda, left Brussels about two hours, if Clarendon be correct, before an order was issued for his detention. The several letters, though written and signed at Brussels, were dated from Breda, and given to Grenville the moment the king placed his foot on the Dutch territory. *Clar.* 740.

† *Thurloe*, vii. 866. 887. Price, 787. *Clarke's Letters*, ii. 326. *Clar. Pap.* iii. 765. 714. 726 730, 1 3. It appears that many of the royalists were much too active. "When the complaint was made to Monk, he turned it off with a jest, that as there is a fanatic party on the one side, so there is a frantic party on the other." 721. 2.

Their emissaries penetrated into the quarters of the military, where they lamented the approaching ruin of the good old cause, regretted that so many sacrifices had been made, so much blood had been shed in vain, and again insinuated to the officers, that they must forfeit the lands which they had purchased, to the privates, that they would be disbanded and lose their arrears*. A spirit of discontent began to spread through several corps, and a great number of officers repaired to the metropolis. But Monk, though he still professed himself a friend to republican government, now ventured to assume a bolder tone. The militia of the city, amounting to fourteen thousand men, was already embodied under his command; he had in his pocket a commission from Charles, appointing him lord-general over all the military in the three kingdoms; and he had resolved, should circumstances compel him to throw off the mask, to proclaim the king, and to summon every faithful subject to repair to the royal standard. He first ordered the officers to return to their posts; he then directed the promise of submission to the new parliament to be tendered to the privates, and every man who refused to make it was immediately discharged†. At the same time, the friends of the commonwealth resolved to oppose Lambert, once the idol of the soldiery, to Monk. Lambert, indeed, was a prisoner in the Tower, confined by order of the council, because he had refused to give security for his peaceable behaviour; but, with the aid of a rope, he descended from the window of his bed-chamber, was received by eight watermen in a barge, and found a secure asylum in the city. The citizens, however, were too loyal to listen to the suggestions of the party: he left his concealment, hastened into Warwickshire, solicited, but in vain, the co-operation of Ludlow, collected from the discontented regiments six troops of horse and some companies of foot, and expected in a few days to see himself at the

April
9.

11.

13.

* Thurloe, vii. 870.

† Clar. Pap. iii. 715.

- April head of a formidable force. But Ingoldsby, who, of a
 21. regicide, was become a royalist, met him near Daventry with an equal number : a troop of Lambert's men under the command of the younger Hazlerig, passed over to his opponents ; and the others, when he gave the word to charge, pointed their pistols to the ground. The unfortunate commander immediately turned and fled ; Ingoldsby followed ; the ploughed land gave the advantage to the stronger horse ; the fugitive was overtaken, and, after an ineffectual effort to awaken the pity of his former comrade, submitted to his fate. He was
 24. conducted back to the Tower. at the time when the trained bands, the volunteers, and the auxiliaries raised in the city, passed in review before the general in Hyde-park. The auxiliaries drank the king's health on their knees ; Lambert was at the moment driven under Tyburn ; and the spectators hailed with shouts and exclamations the disgrace of the prisoner*.

- The convention parliament (so it was called, because it had not been legally summoned) met on the appointed day, the 25th of April. The presbyterians, by artful
 25. management, placed sir Harbottle Grimston, one of their party, in the chair ; but the cavaliers, with their adherents, formed a powerful majority, and the new speaker, instead of undertaking to stem, had the prudence to go along with, the stream. Monk sat as representative of Devonshire, his native county.

To neutralize the influence of the cavaliers among the commons, the presbyterian peers who sat in 1648 assembled in the house of lords, and chose the earl of Manchester for their speaker. But what right had they exclusively to constitute a house of parliament ? They had not been summoned in the usual manner by writ ; they could not sit as a part of the long parliament, which was now at least defunct ; and, if they founded their pretensions on their birthright, as consiliarii nati,

* Kennet's Reg. 120. Price, 792. 794. Ludlow, 379. Phillips, 607. Clar. Pap. iii. 735.

other peers were in possession of the same privilege. The question was propounded to the lord-general, who replied that he had no authority to determine the claims of any individual. Encouraged by this answer, a few of the excluded peers attempted to take their seats, and met with no opposition; the example was imitated by others, and in a few days the presbyterian lords formed not more than one-fifth of the house. Still, however, to avoid cavil, the peers who sat in the king's parliament at Oxford, as well as those whose patents bore date after the commencement of the civil war, abstained for the present from demanding admission*.

Monk continued to dissemble. By his direction Grenville applied to a member, who was entering the council-chamber, for an opportunity of speaking to the lord-general. Monk came to the door, received from him a letter, and, recognising on its seal the royal arms, commanded the guards to take care that the bearer did not depart. In a few minutes Grenville was called in, interrogated by the president as to the manner in which he became possessed of the letter, and ordered to be taken into custody. "That is unnecessary," said Monk, "I find that he is my near kinsman; and I will be security for his appearance."

The ice was now broken. Grenville was treated not May as a prisoner but a confidential servant of the sovereign. ^{1.} He delivered to the two houses the letters addressed to them, and received in return a vote of thanks, with a present of 500*l*. The letter for the army was read by Monk to his officers, that for the navy by Montague to the captains under his command, and that for the city by the lord mayor to the common council in the Guild-hall. Each of these bodies voted an address of thanks and congratulation to the king.

The paper which accompanied the letters to the two houses, 1^o. granted a free and general pardon to all per-

sons, excepting such as might afterwards be excepted by parliament, ordaining that every division of party should cease, and inviting all who were the subjects of the same sovereign to live in union and harmony: 2^o. it declared a liberty to tender consciences, and that no man should be disquieted or called in question for differences of opinion in matters of religion which did not disturb the peace of the kingdom, and promised moreover the royal assent to such acts of parliament as should be offered for the full granting of that indulgence; 3^o. it alluded to the actions at law to which the actual possessors of estates purchased by them or granted to them during the revolution might be liable, and purposed to leave the settlement of all such differences to the wisdom of parliament, which could best provide for the just satisfaction of the parties concerned: lastly, it promised to liquidate the arrears of the army under general Monk, and to retain the officers and men in the royal service upon the same pay and conditions which they actually enjoyed. This was the celebrated declaration from Breda, the royal charter on the faith of which Charles was permitted to ascend the throne of his fathers*.

Encouraged by the bursts of loyalty with which the king's letters and declaration had been received, his agents made it their great object to procure his return to England before limitations could be put on the prerogative. From the lords, so numerous were the cavaliers in the upper house, no opposition could be feared; and the temper already displayed by the commons was calculated to satisfy the wishes of the most ardent champions of royalty. The two houses voted, that by the ancient and fundamental laws of the realm the government was and ought to be by king, lords, and commons; they invited Charles to come and receive the crown to which he was born; and, to relieve his more urgent

* Lords' Journ. xi. 7. 10.

necessities, they sent him a present of 50,000*l.*, with 10,000*l.* for his brother the duke of York, and 5,000*l.* for the duke of Gloucester. They ordered the arms and symbols of the commonwealth to be effaced, the name of the king to be introduced into the public worship, and his succession to be proclaimed as having commenced from the day of his father's death*. Hale, the cele-
brated lawyer, ventured, with Prynne, to call upon the
house of commons to pause in their enthusiasm, and
attend to the interests of the nation. The first moved
the appointment of a committee to inquire what propo-
sitions had been offered by the long parliament, and
what concessions had been made by the last king in
1648; the latter urged the favourable opportunity of
coming to a mutual and permanent understanding on
all those claims, which had been hitherto subjects of
controversy between the two houses and the crown.
But Monk rose, and strongly objected to an inquiry
which might revive the fears and jealousies, the animosities and bloodshed, of the years that were past. Let
the king return while all was peace and harmony. He
would come alone; he could bring no army with him;
he would be as much at their mercy in Westminster as
in Breda. Limitations, if limitations were necessary,
might be prepared in the interval, and offered to him
after his arrival. At the conclusion of this speech, the
house resounded with the acclamations of the cavaliers;
and the advocates of the inquiry, awed by the authority
of the general, and the clamour of their opponents,
deemed it prudent to desist†.

Charles was as eager to accept, as the houses had
been to vote, the address of invitation. From Breda he
had gone to the Hague, where the States, anxious to
atone for their former neglect, entertained him with un-
usual magnificence. The fleet, under Montague‡, had

* Journals of both houses.

† Burnet, i. 88. Ludlow, iii. 8, 9.

‡ Montague had long been in correspondence with the king, and dis-

- May anchored in the bay of Scheveling; and Charles, as
 23. soon as the weather permitted, set sail for Dover, where Monk, at the head of the nobility and gentry from the neighbouring counties, waited to receive the new sovereign. Every eye was fixed on their meeting; and the cheerful, though dignified, condescension of the king, and the dutiful, respectful homage of the general, provoked the applause of the spectators. Charles embraced him as his benefactor, bade him walk by his side, and took him into the royal carriage. From Dover to the capital the king's progress bore the appearance of a triumphal procession. The roads were covered with crowds of people anxious to testify their loyalty, while
 29. they gratified their curiosity. On Blackheath he was received by the army in battle array, and greeted with acclamations as he passed through the ranks; in St. George's fields the lord mayor and aldermen invited him to partake of a splendid collation in a tent prepared for the purpose; from London-bridge to Whitehall the houses were hung with tapestry, and the streets lined by the trained bands, the regulars, and the officers who had served under Charles I. The king was preceded by troops of horsemen, to the amount of three thousand persons, in splendid dresses, attended by trumpeters and footmen; then came the lord mayor, carrying the naked sword, after him the lord-general and the duke of Buckingham, and lastly the king himself, riding between his two brothers. The cavalcade was closed by the general's life-guard, five regiments of horse, and two troops of noblemen and gentlemen. At Whitehall Charles dismissed the lord mayor, and received in succession the two houses, whose speakers addressed him in strains of the most impassioned loyalty, and were answered by him with protestations of attachment to the

approved of the dissimulation of Monk, so far as to call him in private a "thick-skulled fool;" but thought it necessary to flatter him, as he could hinder the business. *Pepys*, i. 69.

interests and liberties of his subjects. It was late in the evening before the ceremonies of this important day were concluded; when Charles observed to some of his confidants, "It must surely have been my fault that I did not come before; for I have met with no one to-day who did not protest that he always wished for my restoration *.

That the re-establishment of royalty was a blessing to the country will hardly be denied. It presented the best, perhaps the only, means of restoring public tranquillity amidst the confusion and distrust, the animosities and hatreds, the parties and interests, which had been generated by the events of the civil war, and by a rapid succession of opposite and ephemeral governments. To Monk belongs the merit of having, by his foresight and caution, effected this desirable object without bloodshed or violence; but to his dispraise it must also be recorded, that he effected it without any previous stipulation on the part of the exiled monarch. Never had so fair an opportunity been offered of establishing a compact between the sovereign and the people, of determining, by mutual consent, the legal rights of the crown, and of securing from future encroachment the freedom of the people. That Charles would have consented to such conditions, we have sufficient evidence: but, when the measure was proposed, the lord-general declared himself its most determined opponent. It may have been, that his cautious mind figured to itself danger in delay; it is more probable that he sought to give additional value to his services in the eyes of the new sovereign. But, whatever were the motives of his conduct, the result was, that the king ascended the throne unfettered with conditions, and thence inferred that he was entitled to all the powers claimed by his father at

* Whitelock, 702. Kennet's Reg 163. Clarendon's Hist. iii. 772. Clarendon's Life by Himself, Continuation, p. 7. 8. Evelyn's Diary, ii. 148.

the commencement of the civil war. In a few years the consequence became manifest. It was found that, by the negligence or perfidy of Monk, a door had been left open to the recurrence of dissension between the crown and the people; and that very circumstance which Charles had hailed as the consummation of his good fortune, served only to prepare the way for a second revolution, which ended in the permanent exclusion of his family from the government of these kingdoms.

CHAPTER IV.

CHARLES II.

The New Council—Proceedings in the Convention Parliament—Trials and Execution of the Regicides—Ecclesiastical Arrangements—Conference at the Savoy—Rising of the Fifth-Monarchy Men—New Parliament—Execution of Vane—Corporation Act—Act of Uniformity—Parliament in Scotland—Execution of Argyle—Restoration of Episcopacy in Scotland—Also in Ireland—Act of Settlement—And Explanatory Act for Ireland.

NEVER, perhaps, did any event in the history of this 1660. nation produce such general and exuberant joy as the return of Charles to take possession of the throne of his fathers. To the abolition of monarchy men attributed all the evils which they had suffered; from its restoration they predicted the revival of peace and prosperity. The known enemies of the royal cause slunk away to hide themselves from the effects of popular excitation; its triumph was everywhere celebrated with the usual manifestations of public joy; and the arms of the commonwealth, with all the emblems of republicanism, were subjected to the foulest indignities, and reduced to ashes. To keep alive the flame of loyalty, the royalists circulated, in cheap publications, most flattering portraits of the new king. He was described as a prince of kindly disposition and engaging manners, of sound judgment, and becoming spirit, and, above all, of the most inflexible attachment to the doctrines of protestantism, an attachment which had stood the test of temptation in circumstances the most trying and seductive. That there was some truth in these representations cannot be denied; but one-half of the picture was concealed: it should have been added, that he was easy

and indolent, the votary of dissipation and pleasure, and always ready to postpone the calls of business for the attraction of the ball-room, or the company of his mistresses. His advisers had persuaded themselves that the follies of the youth would be redeemed by the virtues of the man. But he had now reached his thirtieth year without amendment. He had, indeed, made promises; had more than once torn himself from the unworthy connexions to which he was enslaved; and had, on emergencies, displayed an energy deserving of that splendid prize to which he aspired. But these were transient efforts: he quickly relapsed into his former habits, and resumed with new relish the pursuit of enjoyment.

Charles, however, on his arrival, did not suffer himself to be dazzled by the splendid prospect around him. He was aware that his throne still rested on a very insecure foundation; he saw the dangers which he had to avert, and the difficulties which he had to overcome; and he formed a strong and, as he fancied, unalterable resolution, to devote his chief attention to the business of government, and to suffer no pleasure, no amour, to seduce him from the duties of his high office. His ministers congratulated each other on the change wrought in the habits of their sovereign. But he soon began to feel uneasy under the restraint: he was so beset with difficulties from the never-ceasing claims of the old royalists and of his more recent adherents; he found himself so perplexed with the increasing multitude of affairs submitted to his consideration, that he gradually emancipated himself from the trammels, and sought relaxation in the company of the gay, the witty, and the dissolute. The consequence was, that he not only neglected his duties, but often suffered his mind to be prejudiced against the advice of his council by the sallies and sarcasms of his profligate companions*.

* Continuation of Clarendon's Life written by himself, 21. 49. 167. Oxford, 1759. In the subsequent pages I shall refer to this work under the name of Clarendon alone. Pepys, Diary, 37 8vo.

To an observant eye that council presented a singular assemblage of men, devoted to different parties, and professing opposite principles. In the first place, were seen the royal brothers, James and Henry, who owed the distinction to their birth, with Hyde the chancellor, Ormond the lord-steward, lord Culpepper, master of the rolls, and secretary Nicholas, the four counsellors who had possessed the confidence of the king during his exile. Then came the lord-general, who, by his recent conduct, had indissolubly bound up his own lot with the fortunes of the house of Stuart, Morrice, the friend and confidant of the general, and two or three others, whose chief merit was the recommendation of Monk, grounded on the promises which he had made during the late revolution. With these two classes Charles was advised to associate all the surviving counsellors of his late father before the war; a measure which, with a few who had faithfully adhered to the royal interests, introduced several who had maintained the cause of the parliament against that of the crown. It is evident that, on a council thus constituted, the king would look partly with distrust, partly with aversion. A remedy was discovered by the ingenuity of the chancellor, at whose suggestion the council appointed a committee of foreign affairs, consisting of himself, Ormond, Southampton, the lord-treasurer, Monk, Nicholas, and Morrice. These met for the purpose of considering the relations of the English with the other crowns of Europe; but they employed the opportunity of meeting to debate and decide, without the knowledge of their colleagues, every question concerning the internal administration of the kingdom. The same subjects were, indeed, afterwards submitted to the consideration of the whole council; but Charles had already adopted the opinion of the secret cabinet; and the dissenters were either silenced by the reasoning of the favourite ministers, or overawed by the presence and authority of the sovereign*.

* Clarendon, 2. 27.

With respect to the two houses, the king had only to speak and his wishes were gratified. As they had recalled him without conditions, so they appeared willing to lay the liberties of the nation at his feet. The cavaliers identified their own triumph with the exaltation of the throne; the presbyterians stood before it as repentant sinners anxious to efface the remembrance of their past delinquency; and the few who were sincerely attached to republican principles deemed it prudent to shelter themselves from notice amidst the crowd, and to echo the more courtly opinions of their colleagues. Fortunately the royal advisers were not disposed, perhaps were afraid, to take the utmost advantage of the general enthusiasm; and, on some occasions, Charles himself condescended to read to the two houses lessons of moderation and prudence*. The most important of their proceedings may conveniently be classed under the following heads:—

1st. The objection which had been raised before their convocation was renewed after the return of the king. They had not been called by the royal writ; they were therefore illegal assemblies, and their acts might hereafter be disputed in the courts of law. The obvious remedy was to dissolve them, and to summon a parliament after the usual manner, which might legalise by its authority the irregular proceedings of the convention. But this, to the king's advisers, appeared in the existing circumstances a dangerous experiment: they were not disposed to part with a house of commons so obsequious to their wishes; and they preferred to pass an act, declaring that the parliament summoned in the 16th Charles I. was determined, and that the two houses then sitting at Westminster constituted the two houses of parliament. It might, indeed, be asked, whence an assembly, illegal in its origin, could derive the power of giving to itself a legal existence; but it was hoped that,

* Clarendon, 8, 9. Burnet, Hist. of his Own Times, i. 270. Oxford, 1823

as long as the convention sate, no man would venture to moot the question; and on its dissolution every defect might be supplied by the authority of the succeeding parliament*.

2°. The experience of former years had shown that, to restrain within due limits the pretensions of the crown, it was necessary to keep it dependent on the bounty of the subject; but now both houses seemed to have adopted the contrary doctrine: they attributed the calamities which for so many years had afflicted the nation to the scanty provision made for the support of royalty; they found, on inquiry, that the annual expenditure of the last king greatly exceeded his income; and, to prevent the recurrence of the wants which he experienced, and of the illegal expedients to which he had recourse, they raised the yearly revenue of the crown to the unprecedented amount of 1,200,000*l*.^{4.}

3°. But while they provided for the sovereign, they were not unmindful of their own interests. In the preceding reigns, the proprietors of lands had frequently and zealously sought to abolish tenures by knights' service, confessedly the most onerous of the existing feudal burthens; but their attempts were constantly defeated by the monarch and his courtiers, unwilling

* Stat. of Realm, v. 179. The question, however, was brought forward by Drake, a royalist, under the name of Philips, in a tract called, "The Long Parliament Revived." He founded his opinion chiefly on the Act of 17th of Charles I, which provided that the parliament should *not* be dissolved but by an express act of parliament, and that every thing otherwise done, or to be done, for the dissolving of it, should be of none effect. Hence it followed that the parliament could never be dissolved but by its own act; and that the arguments of Pymme, which have been already noticed, were of no force; because, though true of an ordinary parliament, they did not apply to one secured from dissolution in this extraordinary manner. Drake was impeached by the commons; but the lords had the prudence to remit the case to the attorney-general to be proceeded with in the ordinary courts of law. See Parl Hist. iv. 143. 147. and App. i. The court wisely allowed the prosecution to be dropped. If the act of 17th of Charles were construed strictly according to the letter, the long parliament could never be dissolved by any other parliament, because before its dissolution no other meeting could be a legal parliament. It was, therefore, maintained that, by the separation of the houses from the king, and the secession or exclusion of so many members, it had fallen to pieces of itself. It had died a natural death. See the tract, "The Long Parliament is not Revived." Ibid. xviii.

to resign the benefits of marriages, reliefs, and wardships. Now, however, in this season of reconciliation and mutual concession, the proposal was made and accepted; the terms were arranged to the satisfaction of both parties; and Charles consented to accept a fixed annual income of 100,000*l.* in place of the casual but lucrative profits of the court of wards. Still the transaction did little honour to the liberality of the two houses. They refused to extend the benefit to inferior tenures; and the very act which relieved the lords of manors from the services which they owed to the crown, confirmed to them the services which they claimed from those who held by tenure of copyhold. Neither did they choose to pay the price of the benefit, though it was to be enjoyed exclusively by themselves. Originally, the authors of the measure intended to raise the compensation by a tax on the lands which had been relieved: the amount had actually been apportioned to the several counties by the committee, when a member, as it were accidentally, asked why they should not resort to the excise: the suggestion was eagerly caught by the courtiers and many of the proprietors; the injustice of compelling the poor to pay for the relief of the rich, though strongly urged, was contemptuously overlooked; and the friends of the motion, on a division in a full house, obtained a majority of two. In lieu, therefore, of purveyance, military tenures, and their various incidents, fruits and dependencies, the produce of one moiety of the excise, a constantly growing and more profitable branch of revenue than the original compensation, was settled on the crown for ever*.

4'. The excise, as the reader will recollect, had been introduced by the parliament to defray the charges of the war against the king. To reconcile the nation to so odious a tax, it was first voted for a short period only; and, though it had been continued ever since by suc-

* Stat. of Realm, 259. C. Journ. May 25; Nov. 8. 19. 21; Dec. 15. 21. Parl. Hist. iv. 146.

cessive grants, an understanding always existed, that, as nothing but necessity could justify the imposition, so it should most certainly cease with that necessity. By the last enactment, one half of it was now rendered perpetual: nor was the house slow to dispose of the other. It had taken no measures to raise the revenue to the amount which it had voted: the festival of Christmas approached; the king admonished the members of his intention to dissolve the parliament; and the houses hastily passed three bills to improve the receipts on wine licences, to regulate the post office, and to grant to the king the second moiety of the excise for his natural life, in full of the yearly settlement of 1,200,000^l.* From that moment, all hope of its extinction vanished; and, ^{Dec.} in the course of a few reigns, the streamlet has swelled ^{21.} into a mighty river. The excise then produced 300,000^l.; it now produces 18,000,000^l. per annum.

5°. The existence of the revolutionary army (it amounted, in the three kingdoms to more than sixty thousand men) was to the monarch and his ministers a subject of constant anxiety. It had, indeed, contributed to place him on the throne; but it might, with the same ease, precipitate him from it. Monk could no longer answer for its fidelity. When the first ebullitions of loyalty had subsided, many, both officers and privates, began to feel surprise that they had lent themselves to a revolution which must put an end to their accustomed licence and long-established importance. The royalists, to whom the lord-general had given commissions, possessed not the confidence of the men; the followers of Lambert in his late unfortunate attempt, insinuating

* C. Journ. Nov. 27; Dec. 21. In the debate on the post office bill, an amendment was proposed to exempt from the charge of postage all letters to and from members of the house of commons, "sitting the parliament," on the ground that they had as good a right to that indulgence as the privy councillors by whom it was enjoyed. Though the amendment was stigmatised as beneath the dignity of the house, and fit only for mendicants, though the speaker declared that he was ashamed to put the question, it was carried. The lords, however, rejected it, and the commons acquiesced. Journ. of Com. Dec. 17. *Parl. Hist.* 163.

themselves into the quarters of the military, called on them to reassert the good old cause; and unauthorised meetings were held, the death of Monk was planned, and measures were taken to form a general combination among the different corps. In opposition to these attempts, Charles endeavoured to win the affections of the soldiery by the flattering manner in which he spoke of their discipline and loyalty, and the earnestness with which he recommended their services to the gratitude of his parliament: while his ministers, with the aid of a numerous corps of spies, sought out the sowers of sedition, and under various and feigned pretences, secured their persons. In both houses, members were instructed to represent the uselessness of so numerous a force in a time of profound peace, the expense which it had already entailed, and the annual amount which it would continue to entail on the nation. No opposition was offered to the motions with which they concluded. By successive grants, provision was made to liquidate all arrears: regiment after regiment was disbanded; and the measure was conducted with such attention to the wants and feelings of the men, that it was accomplished without exciting mutiny or public expressions of discontent*.

6°. The proceedings on this subject were tediously protracted by the controversy between the two houses on the bill of indemnity. In his declaration from Breda, Charles had promised a general pardon, subject to such exceptions as might be suggested by the wisdom of parliament. The moment the question was brought forward, a wonderful diversity of opinions was observed. Every member had some friend whom he wished to shield from punishment, or some enemy whom he sought to involve in it: considerations of interest or relationship, of friendship or revenge, weighed more than the respective merits of the parties; and distinctions were made and resolutions passed, for which it was difficult to account on any rational grounds. At last, the

* Stat. of Realm, v. 207. 236. 241. Clarendon, 10, 11. Burnet, i. 274.

bill was transmitted from the commons to the lords, July 11. who, as their sufferings had in general been more severe, betrayed a more vengeful spirit. The chief points in discussion between the houses were, that the lords sought to include, in one sweeping clause of condemnation, all persons who ever sat in judgment on any royalist in a high court of justice, and that they refused all hope of mercy to nineteen of the king's judges who had surrendered themselves in consequence of a royal proclamation. By a clause in that instrument, the disobedient were threatened with exception from pardon both as to life and property: whence the commons inferred that the obedient had reason to expect such exception in their favour: while the lords contended that they had only a right to trial before a court of justice, whereas those who disobeyed might be condemned for contumacy. Charles by repeated messages and speeches, advised moderation and clemency. It was evident that the commons had adopted the more rational explanation: 18. the lords, after several conferences, relented; the other July 27. house met them by receding from some of its pretensions; and the act, after a long contest, received the royal assent. Aug. 16. It declared in the first place, that all the 21. injuries and offences against the crown or individuals, arising out of quarrels between political parties since the 22. 1st of June, 1637, should be and were forgiven: then 29. came the exceptions, 1^o, of fifty-one individuals actually concerned in the death of the king's father; 2^o, of Vane and Lambert; 3^o, of lord Monson, Hazlerig, and five others, as far as regarded liberty and property; 4^o, of all judges in any high court of justice; and of Hutchinson, Lenthall, St. John, and sixteen others by name, as to eligibility to hold office, civil, military, or ecclesiastical. With respect to the case of the nineteen regicides who had voluntarily surrendered, it was yielded to the lords that they should be tried for their lives; and, in return, it was conceded to the commons that they should

not be executed without a subsequent act of parliament to be passed expressly for that purpose*.

By most men, this general pardon was hailed as a national blessing, calculated to heal dissension and restore tranquillity; by the great body of the cavaliers it was received with murmurs and complaints. It disappointed their fondest hopes: they saw themselves left by it the victims of their loyalty, without redress for the injuries which they had received, or relief from the poverty to which they had been reduced; while, in numerous instances, their more fortunate neighbours of the republican party continued to revel in the undisturbed enjoyment of their new-gotten wealth, the fruit and reward of rebellion and injustice. With truth, they exclaimed, may it be called an act of oblivion and indemnity; but of oblivion of loyalty, and indemnity for treason.

7°. Their discontent received some alleviation from the tragedy which followed. For years it had been sedulously impressed on the mind of Charles, that, as a son, he could never pardon the murder of his father; as a sovereign, he ought not to connive at the public execution of a king. To punish the regicides was, in his opinion, a sacred and indispensable duty; and the exceptions established by the late act afforded him ample scope for the exercise of justice, or the gratification of revenge. Five-and-twenty out of the original number had indeed been already removed by death beyond the reach of any earthly tribunal, and nineteen had crossed the sea to escape the fate which awaited them in their native country†. Still twenty-nine remained, all in

* Journals of both Houses. Stat. of Realm, v. 331. Clarendon, 69.

† Three of these, Whaley, Goff, and Dixwell, secreted themselves in New England, where they passed their lives in the constant fear of being discovered by the officers of government. There is an interesting account of their adventures in Hutchinson's History of Massachusetts Bay, and in the history of these "Most Illustrious and Heroic Defenders of Liberty," published by Ezra Styles, S.T.D. LL.D. President of the Yale College, Hartford, U. S. 1794. Three others, Corbet, Okey, and Berkstead, were

custody, and several of them as deeply tinged with the blood of the late king, and as criminal in the eyes of the royal party, as the most obnoxious of their fellows. The fugitives were attainted by act of parliament; the prisoners were arraigned before a court of thirty-four commissioners. The Oct. 9.

There was much in the composition of this court to interest the curiosity of the spectators, and to agitate the feelings of the unhappy men at the bar. That cavaliers should sit in judgment on those who had brought the king to the block, might have been expected; but by the side of the chancellor, and Southampton, and Nicholas, were seated Manchester and Robartes, two of the parliamentary commanders, Say and Holles, the parliamentary leaders, Atkins and Tyrrel, parliamentary judges, Monk and Montague, two of Cromwell's lords, and Cooper, one of his most trusty advisers. These men, if they had not actually dipped their hands in the king's blood, had been deeply engaged in the transactions which led to his death, or had powerfully supported the several revolutionary governments, which excluded his son and successor from the throne. For such offences they might, in other circumstances, have had to plead for their lives; but they had made professions of repentance, and had been selected to discharge this ungracious task, that they might display both the extent of the royal clemency, and the sincerity of their own conversion.

Most of the prisoners sought to deserve mercy by the ingenuous and sorrowful acknowledgment of their crime: the others alleged in their justification, that they bore no personal malice to the royal victim; that they looked on his death as a solemn act of national justice, and that they proceeded under the sanction of that authority

apprehended in Holland, at the instance of Downing, and given up by the States, as an atonement for their former treatment of the king during his exile. They suffered under the act of attainder, on the 19th of April, 1662. Ludlow, iii. 82. State Trials, v. 1301—35. Pepys, i. 252. 8. Others sought refuge in Switzerland, where they believed themselves to be in constant danger of assassination from emissaries hired by the English court. Ludlow, iii. 113—134.

which then exercised the supreme power in the nation. To the second of these pleas the court refused to listen: to the first it was replied, that in law the fact afforded sufficient evidence of the malice; and, to the last, that an irregular and unlawful meeting of twenty-six persons, pretending to represent the commons of England, could not be considered as the supreme authority in the nation.

All were found guilty, and received judgment of death; but the execution of those who had voluntarily surrendered themselves was respited, according to the act of indemnity, for the subsequent consideration of parliament. The ten selected to suffer were Harrison, Scot, Carew, Jones, Clements, and Scroop, who had subscribed the fatal warrant; Cook, who acted as solicitor on the trial; Axtele and Hacker, two military officers who guarded the royal prisoner: and Peters, the minister, whose fervid and intemperate eloquence had been so often employed to prepare and support the actors in that remarkable tragedy. The language of these men, both in the court and after their condemnation, exhibited traits of the wildest fanaticism. For the justice of their cause they appealed to the victories which the Lord had given to their swords; to their bibles, which inculcated the duty of shedding the blood of him who had shed the blood of his fellow men; and to the Spirit of God, which had testified to their spirit that the execution of Charles Stuart was a necessary act of justice, a glorious deed, the sound of which had gone into most nations, and a solemn recognition of that high supremacy, which the King of heaven holds over the kings of the earth.

Oct. Similar sentiments supported and cheered them on
13. the scaffold. When they were told to repent, they
15. replied that of their sins they had repented, and of for-
16. giveness they were assured. But they dared not repent
17. of their share in the death of the late king: for to repent
19. of a good deed was to offend God. They were proud to

suffer for such a cause. Their martyrdom would be the most glorious spectacle which the world had ever witnessed since the death of Christ. But let the prosecutors tremble: the hand of the Lord was already raised to avenge their innocent blood; and in a short time the cause of royalty would crouch before that of independence. They uttered the prediction with the confidence of prophets *, and submitted to their fate with the constancy of martyrs. Peters alone appeared to shrink from the approach of death. The exhortation of his fellow-sufferers revived his courage; a strong cordial braced his nerves; and he mustered sufficient resolution to say that he gloried in the cause, and defied the executioner to do his worst †.

These examples did not satisfy the resentment of the royalists, who lamented as a misfortune, that the most odious of the regicides had by a natural death escaped the fate of their associates. It was true that they were attainted: but the attainer affected all alike; while the greater guilt of some called for more particular proofs of public reprobation. Revenge is ingenious; history could furnish instances of punishment inflicted on the remains of the dead; and in obedience to an order of the two houses, approved by the king, the bodies of Cromwell, Bradshaw, and Ireton, having been removed from their graves, were drawn on hurdles to Tyburn, taken out of their coffins, and hung at the three corners of the gallows on the anniversary of the death of Charles I., the day chosen for this expiatory ceremony. In the evening they were cut down and decapitated; the heads fixed on the front of Westminster-hall, and the trunks

Dec.
8.Jn.
30.

* And the prediction was believed. From the Diary of Whaley, Goff, and Dixwell, it appears that they looked on the execution of the regicides as the slaying of the witnesses foretold in the Book of Revelations, and that the prediction of a revolution in their favour was to be fulfilled in the mysterious year 1666. The year passed, and their hopes were disappointed; but they consoled themselves with the persuasion that there was an error in the date of the Christian era, and that the accomplishment of the prophecy would speedily arrive. See Howell's State Trials, v. 1362.

† Ibid. 947—1301.

thrown into a pit at the place of execution. To the cavaliers this revolting exhibition afforded a subject of merriment and pleasantry, but it met with the deserved reprobation of every man of sensibility and judgment. It was an outrage against the common feelings of humanity, and could contribute nothing to the only real end of public punishment—the prevention of crime. The man who dares to stake his life on the pursuit of his object will not be deterred by the fear of mutilation or suspension after death*.

8° Since the year 1642 a considerable portion of the landed property in every county had passed from the hands of the original owners into the possession of new claimants, and it was on this important consideration that the founders of the commonwealth rested their principal hope of its subsequent stability. Hundreds of their adherents had by the revolution been raised in the scale of society, they were become invested with the wealth and influence that originally belonged to their superiors; and it would be their interest to oppose with all their power the return of a system which would reduce them to poverty and insignificance. Charles, in his declaration from Breda, touched on the subject in guarded and measured terms. “he was willing that all controversies in relation to grants, sales, and purchases, should be determined in parliament, which could best provide for the just satisfaction of all who were concerned.” Parliament, however, made no such provision. It confirmed, indeed, as a measure of tranquilization, the judicial decisions which had been given in

* *Lords' Journals*, xi 205. *Kennet's Reg* 367. Though Pride was included in the order, his body was not disturbed. Afterwards 1661, Sept 12-14 about twenty bodies of persons buried in Henry VII's chapel and the church of Westminster were disinterred by the king's order, and buried again in the church yard. Among these there were the remains of Cromwell's mother, of his daughter Elizabeth Claypole, of admiral Blake, and of colonel Munkworth who had been interred in the chapel, and of Pym, Dorislaus Stroud, May the historian, Iwans and Murshall, divines, and of several others buried in the church. *Kennet*, 534 *Neal*, 619.

the courts of law and equity but the royal promise respecting the transfer of property by grants and sales was forgotten, and, in consequence, no relief was afforded to two numerous classes of men belonging to the opposite parties. 1. At the very commencement of the civil troubles many royalists disposed of a portion, or the whole, of their estates, that they might relieve the pecuniary wants of the king, or enable themselves to raise men, and serve in the royal armies, and at its conclusion all of them were compelled to have recourse to similar measures that they might discharge their debts, and pay the heavy fines imposed on them by order of the revolutionary governments. That these men had strong claims on the gratitude and pity of the king and parliament could not be denied but these claims were neglected, the sales had been effected with their consent, they were bound by their own acts, and consigned to misery in penury and despair. 2. The lands belonging to the crown, to the bishops, deans and chapters, and to a few distinguished cavaliers, had been granted away as rewards or sold to the highest or the most favoured bidder. These were now reclaimed, forcible entries were made and the holders, as they were not allowed to plead a title derived from an usurped authority, were compelled to submit to superior right or superior power. To the argument that they were, the most of them, *bonâ fide* purchasers, it was truly replied that they had taken the risk with the benefit but when they appeared to the 'just satisfaction' promised in the royal declaration from Breda, Charles himself blushed at the rigour of his officers and adherents. By proclamation he recommended measures of lenity and conciliation, he advised that the revolutionary purchasers should be admitted as tenants on easy fines, and, at the united request of the two houses, he established a commission to arbitrate between the contending parties. The consequence, however, was, that while the purchasers of the crown lands were in general permitted to remain in pos-

session, the purchasers of the church lands were in numerous instances treated with extreme severity. The incumbents had themselves suffered hard measures; they were old, and therefore anxious to provide for the support of their families after them; and, instead of attending to the royal recommendation, they made no distinction among the bidders, but selected for tenants those individuals who made them the most advantageous offers*.

9^o During the first period of the revolution, the presbyterian ministers had obtained possession of the parish churches; but their orthodoxy was not less intolerant than that of their predecessors, and they pursued, with equal violence, the theological offences of schism and heresy. Still, in defiance of their zeal, sectarianism continued to spread: by degrees, the civil and military authority passed into the hands of the independents; the presbyterians, in proportion as their power declined, turned their eyes towards the exiled prince; and their ministers, as far as prudence would permit, acted the part of zealous and successful missionaries in his favour. Now that Charles had recovered the crown, was he to expel from their livings the men from whom he had received these services; or was he to protect them, and leave the episcopal clergy to pine in deprivation and want? The first savoured of ingratitude; it was moreover pregnant with danger. It might provoke the presbyterian members, the majority of the house of commons, to oppose the court: a thousand pulpits might join in advocating the duty of resistance, and the smouldering embers of civil war might be easily fanned into a flame by the breath of the preachers. On the other hand, he was led by principle, and pledged in honour, to restore that hierarchy, in defence of which his father had forfeited his crown and his life. This was loudly demanded by the cavaliers, and was represented by Hyde as providing the surest bulwark for the throne. Charles did not

* Stat. v. 242. Kennet's Reg. 312. Clarendon. 183. Hallam, iv. 345.

hesitate : the kirk was sacrificed to the church ; and every difficulty was surmounted by the singular address of the minister, joined with the engaging manner and real or affected moderation of the monarch.

That the dominion of the ancient laws had returned with the representative of the ancient kings, was a principle which no one ventured to contradict ; but a principle which taught the votaries of the " Solemn League and Covenant " to tremble for the idol of their worship, and threatened the presbyterian clergy with the loss of their livings. Their chief reliance was placed on the declaration from Breda, which promised the royal assent to an act of parliament for composing differences in religion, and on the services of their brethren who formed a powerful body in the house of commons. But Charles and his politic adviser had no intention to redeem the royal pledge, or to entrust the decision of this important question to the doubtful orthodoxy of the two houses. The number of the bishops, which had been reduced to nine, was filled up by successive nominations. the survivors of the sequestered clergy were encouraged to re-enter on their benefices, or to accept a composition from the holders ; and the heads of the universities received a royal mandate to restore to their colleges the ejected fellows. At the same time, to lull the apprehensions of the presbyterians, offers of bishoprics were made to the most eminent or moderate of the ministers. ten obtained the nominal honour of being chaplains to the king, and all were confirmed in the possession of their benefices, where the legal claimant was dead, or neglected to enforce his right. But these measures ex-^{July} excited alarm. a bill for the settlement of religion was^{9.} brought into the house of commons. and a resolution was passed that the question should be considered in " a " grand committee on every successive Monday." Hyde, in opposition, issued instructions to the friends of the court and the church, who laboured zealously to perplex and protract the proceedings : two long and animated

debates called forth the passions of the speakers, and at last the sitting of the committee was suspended for three months, that the king might have time to consult the divines of both communions *. For this purpose, papers were exchanged between certain of the bishops and a select number of ministers. On points of doctrine they scarcely differed, but one party contended warmly for the model of episcopal government formerly devised by archbishop Usher which the other absolutely rejected, as offering only another name for the establishment of the presbyterian system †. The disagreement had been foreseen, and Charles was advised to interpose as moderator between the disputants. He laid before them the draft of a royal declaration from the pen of the chancellor, solicited their observations on its provisions, and offered to adopt any reasonable amendment. In a few days it was published. It gave due pause both to the orthodox and the presbyterian clergy. It avowed the king's attachment to episcopacy, but with the conviction, that it might be so modified as, without impairing its real character, to remove the objections brought against it and for that purpose he enjoined, 1^o with respect to jurisdiction, that the bishop should not exercise any il-legal or arbitrary authority, nor pronounce ecclesiastical censures, nor celebrate ordinations without the assistance and advice ‡ of his chapter and of an equal number of

* (Chron. 74. Journal 10. m. July 1603). The committee sat an hour in the dark till the candles were sufficiently burnt out, and "then they were lit, but at that time the candles were preserved though with it he said that he thought it might be objected, &c. MS. Dougl. 1.6. m. 1. fol. 112. Hist. 71. 82.

† Neal, ii. 188. 75. It proposed that the several dioceses should hold monthly synods, the ceremony under their jurisdiction, the bishops yearly synods, & those with their dioceses, with the archbishop presiding third year, synods of the bishops and deputies from each diocese within their respective provinces, but in all these the presidents were to possess no superior authority, but only to be considered as *primi inter pares*. See the scheme in the History of Non-conformity, 333—344.

‡ Instead of *a licence* the presbyterians moved for the substitution of the word *consent*. Charles refused, and, when a passage from the *Lamentable Basilique* was objected, hastily replied, 'All that is in that book is not "gospel." Kennet, Reg. 2. 3.

presbyters deputed by the clergy of the diocese, nor confirm in any church without the information and consent of the minister; and, 2^d, with regard to the religious scruples of the presbyterians, that neither the reading of the Liturgy, nor the observance of the ceremonies, nor the subscription to *all* the Thirty-nine Articles, nor the oath of canonical obedience should be exacted from those who objected to them through motives of conscience*.

These important concessions were received with joy and gratitude by the party. A meeting of London ministers declared that episcopacy, thus reformed and improved, was a different thing from the episcopacy against which they had protested in the covenant; and their celebrated leader, Dr. Reynolds, whether his scruples were really silenced, or the restraint on his ambition only removed, signified his acceptance of the bishopric of Norwich. Yet the declaration, while it kept the word of promise to the ear, contained a passage which tended to break it to the hope: it alluded to a synod to be convened, when the passions of men should be cooled, that the question might be fairly and finally settled. The presbyterians had no inclination to depend on the uncertain decision of some future synod: they sought a permanent, not a temporary arrangement: and, in a committee of the house of commons with serjeant Nov 6.
Hales at its head, a bill was formed for the purpose of converting the royal declaration into a law. Hyde saw that his own arts were directed against himself: he removed Hales from the house, to take his seat in the exchequer as lord chief baron: the dependents of the court received instructions to vote against the bill; secretary

* I. Journ xi 179 Neal, ii 575—80. Originally it was intended to permit all persons to meet for religious worship, so be it they do it not to the disturbance of the peace. But the presbyterians were not sufficiently liberal to allow to others what they demanded for themselves. Baxter distinguished between *tolerables* and *intolerables*. The papists and *arminians* were intolerables, their worship could not conscientiously be suffered and, to satisfy the party, the clause was changed into a promise that no man should be disturbed for "difference of *opinion* in matters of religion." Kennet, R. 2 260 O'don xxi, 488

Nov. 28. Morrice opposed it in a long though moderate speech; and, on a motion that it should be read a second time, it was rejected by a majority of twenty-six in a house of Dec. 29. three hundred and forty members. Shortly afterwards the convention parliament was dissolved*.

That, notwithstanding the general demonstration of loyalty, there were many who secretly lamented the ruin, and ardently sought the restoration, of the republican government, could not be doubted. The royal ministers were placed in a situation in which even a superfluous degree of vigilance or severity might be vindicated, or, at least, excused, on account of the probability of danger. But, while they secured the more prominent and suspicious characters, such as Overton, Desborough, Day, and Courtenay, they appear to have overlooked or despised a conventicle of fanatics in Coleman Street, under the guidance of a wine-cooper, named Venner. The king was gone to Portsmouth in company with the queen mother; and, on the afternoon of the following Sunday, Venner called on his hearers not to pray but to act, to 1061. take up arms in the cause of their King Jesus, to whom alone allegiance was due, and never to sheathe the sword Jan 6. till Babylon should be made a hissing and a curse. To raise their courage, the enthusiast held out to them the conquest of the whole world: they should first lead captivity captive in England; from England, proceed to possess the gates of the earth; and then bind kings in chains and nobles in fetters of iron. What, if they were few in number, not more than sixty? They would fight for Him who had promised that one should chase a thousand, and two put ten thousand to flight. Arms

* Clarendon, 76. Journals of Com. Nov. 28. Parl. Hist. iv. 141. 152, I may observe that, on this occasion, Charles exercised his pretension of dispensing with the law in ecclesiastical matters, and yet no one ventured to complain. "It is our will and pleasure that none be judged to forfeit his presentation or benefice, or be deprived of it upon the statute of 13th Eliz. c. 12, so he read and declare his assent to all the articles of religion, which only concern the confession of the true Christian faith, and the doctrine of the sacraments comprised in the book of articles in the said statute mentioned."

had been prepared; the soldiers of the heavenly King hastened to St. Paul's, drove before them some of the trained bands, traversed the city, and withdrew, during the night, to Caen-wood, between Highgate and Hampstead. The next morning about thirty were apprehended by the military, and a persuasion existed that the remainder had dispersed; but on Wednesday they were seen in different streets, hastening towards the residence of the lord mayor, and exclaiming, "the King Jesus and "their heads upon the gates." More fanatics had joined them: several rencontres took place with the guards and the trained bands; and the injury which they inflicted was equal to that which they received; but after the loss of two-and-twenty men killed on the spot, twenty, most of them wounded, yielded to their opponents, and the remaining few escaped. Four of the prisoners were acquitted through want of evidence: most of the others expiated their crime on the gallows. But the failure of the enterprise had not shaken their faith. They died in the same sentiments in which they had lived, proclaiming the sovereignty of their heavenly King, and denouncing his vengeance against the usurpers of his prerogative, the kings of the earth*.

I shall not detain the reader with the ceremonial of the coronation, or the rejoicings with which it was celebrated. Charles had previously called a parliament after the ancient and legitimate form; and the result of the elections showed that the fervid loyalty which blazed forth at his restoration had, in the course of twelve months, suffered but little abatement. In a few places, indeed, men of anti-episcopal principles were returned, but the majority of the members consisted of royalists devoted to the person of the king, and ready to support the measures of the court. Some members of the council possessed seats in the lower house; but it was not

* St. Trials, vi. 105. Kennet, Reg. 354. 562. Heath, 471. Parker, De Rebus sui Temporis, 10. Pepys, i. 167—169. 172.

1660. yet the custom to employ them as the acknowledged
 Nov. 3. leaders of the party. To save appearances, the chan-
 1661. cellor (he had lately been created baron Hyde, and at
 April the coronation, earl of Clarendon,) privately communi-
 23. cated the wishes of the cabinet to a few of the most in-
 influential members, and each of these held a separate
 meeting of his friends and followers, whom he instructed
 in the part that each individual had to act, and the vote
 which it was expected that he should give. With the
 aid of a force thus previously, though secretly, organised
 in the house, the minister experienced little difficulty in
 defeating the desultory and unconnected efforts of his
 opponents.

This parliament, at the commencement of its long
 career, passed several laws of the highest importance,
 both in regard to the pretensions of the crown, and the
 civil and religious liberties of the people. 1°. The
 May 17. solemn league and covenant, with the acts for erecting
 27. a high court of justice for the trial of Charles Stuart,
 for subscribing the engagement, for establishing a com-
 monwealth, for renouncing the title of the present king
 and for the security of the protector's person, were
 ordered to be burnt in the midst of Westminster-hall by
 the hands of the common hangman. It was affirmed
 that the negative voice, and the command of the army,
 were rights inherent in the crown: to devise any bodily
 harm to the king, and to distinguish between his person
 and his office, were pronounced treason; to call the
 king a heretic or a papist, was made to incapacitate the
 offender from holding any office in church or state; and
 the penalties of premunire were enacted against all who
 should assert that the parliament of 1641 was not dis-
 solved, or that both houses, or either house, possessed le-
 gislative authority independently of the sovereign. At
 the same time, severe restrictions were imposed upon
 the press, to prevent the publication of books maintain-
 ing opinions contrary to the Christian faith, or to the

doctrine or discipline of the church of England, or tending to the defamation of the church or state, or of the governors thereof, or of any person whomsoever*.

2°. Though the convention parliament had undertaken to make ample provision for the pecuniary wants of the government, Charles was advised to apply to the two houses for additional aid, and obtained from their loyalty a grant of four subsidies, the ancient but now obsolete method of raising supplies. It has been said of the king that he was improvident, that the establishment of his household was calculated on the most expensive scale, that he made extravagant presents to his favourites and mistresses, and that he squandered enormous sums in the unnecessary repair and improvement of the royal palaces: but it should also be remembered that at his restoration he found himself incumbered with a debt for which he could not be responsible, the enormous sum owing to the armies in the three kingdoms under the head of arrears; and that he was moreover compelled, from the destitute state of the several arsenals, to expend 800,000*l.* in the immediate purchase of naval and military stores. We are assured that in the first fifteen months the only sum which could be devoted to the ordinary current expenses of the state was the 70,000*l.* voted on account of the coronation. The parliament repeatedly listened to his solicitations; but the estimates were inaccurate; the taxes proved deficient†; they were tardily collected; new debts were contracted before the original debts could be discharged: and, during the whole course of his reign, Charles laboured under the pressure of a burden which he was unable to remove. This gave a peculiar tone to his policy. To procure money became his habitual pursuit: it entered into all his measures as the principal, or, at least, as an important object; it dictated

* Clarendon, 191. Statutes and Journals, *passim*.

† Sir P. Warwick showed that of the yearly sum of 1,200,000*l.* voted by the convention parliament, no more than 900,000*l.* per annum was ever received. Pepys, Diary, ii 161.

to him the match with Portugal and the sale of Dunkirk to France; and it seduced him into that clandestine correspondence and those pecuniary bargains with the French monarch, which have left an indelible stain on his memory.

3°. The feverish state of the public mind, agitated by successive reports of plots and the prosecution of real or supposed conspirators, enabled the ministry to carry a measure, which they deemed highly conducive to the stability of the restored government. Both the presbyterians and cavaliers had given proofs of their attachment to the king; but their loyalty was of a different order: the first sought to limit, the latter to extend the powers of the crown; the one looked on the constitution of the Church as hostile, the other as favourable, to their respective views. In parliament the cavaliers were triumphant; but the government of cities and boroughs throughout the kingdom was chiefly in the hands of the presbyterians. To dispossess them of these strongholds became the policy of Clarendon; and he accomplished his purpose by the corporation act, which, after much opposition, was passed into a law.

June 19. By it, commissioners were appointed with the power of removing at discretion every individual holding office in or under any corporation in the kingdom; and it was required that all persons permitted to retain their situations should qualify themselves by renouncing the solemn league and covenant, by taking the oaths of allegiance and supremacy, and by declaring upon oath their belief of the unlawfulness of taking up arms against the king on any pretence whatsoever, and their abhorrence of the traitorous doctrine that arms may be taken up by his authority against his person, or against those that are commissioned by him. With respect to the admission of future officers, the act moreover provided, that no man should be eligible who had not, within the year preceding his election, taken the sacrament according to the rite of the church of England.

Dec. 20.

Qualifying tests had been first introduced into our law to exclude the Roman catholics; now the precedent was urged to justify the exclusion of the dissenters; the doctrine of passive obedience was established by authority of the legislature; and the performance of a religious duty was made an indispensable qualification for the holding of a secular office*. This act broke the power of the presbyterians in the state: the act of uniformity drove them from the places which they still retained in the church.

4°. The king had promised that, preparatory to the comprehension of "the dissenting brethren," the Book of Common Prayer should be revised by a commission of divines from both communions. They met at the Savoy, Mar. the residence of the bishop of London; previous debates 25 respecting forms and pretensions occupied a considerable portion of time; at length, the discussion commenced with written papers, and was subsequently continued in personal conferences. But the presbyterians demanded so much, and the bishops were disposed to concede so little, that no progress was made; and when the commission (it had been limited to the duration of four months,) was on the point of expiring, it was anneably agreed to dismiss the minor subjects of controversy, and to confine the discussion to eight passages in the book, which in the apprehension of the dissenters could not be adopted without sin. With this view, the following question was proposed for debate:—"Can a command be sinful, enjoining that which is not in itself unlawful?" After a long and freiful altercation, neither party was convinced, and both joined in a common answer to the king, that they agreed as to the end, July but could come to no agreement as to the means†. 25.

* Stat. v. 321

† State Trials, vi 25.—44. History of Non conformity. Neal, ii 601 In opposition to the bishops it was contended, that a command, enjoining what is lawful, may be sinful *per accidens*, or may be unlawfully commanded. The point to which the dispute referred was the kneeling at the communion. *Id.* 328.

- This was the conclusion which had been expected and desired. Charles had already summoned the convocation, and to that assembly was assigned the task which had failed in the hands of the commissioners at the May Savoy. Several of the bishops protested against any alteration; but they were overruled by the majority of their brethren; certain amendments and additions were adopted; and the book, in its approved form, was sanctioned by the king, and sent by him to the house of lords*. The act of uniformity followed, by which it was enacted that the revised Book of Common Prayer, and of Ordination of Ministers, and no other, should be used in all places of public worship; and that all beneficed clergymen should read the service from it within a given time, and, at the close, profess, in a set form of words, their "unfeigned assent and consent to every-thing contained and prescribed in it." To this declaration many objected. In obedience to the legislature, they were willing to make use of the book, though they found in it articles and practices of the truth and propriety of which they doubted; but to assent and consent to what they did not really believe or approve, was repugnant to the common notions of honesty and conscience. In the following year an attempt was made to relieve them, on the transmission of a bill to amend the act of uniformity from the lower to the upper house.
1663. The lords added a declaratory clause, that the words
 July "assent and consent should be understood only as to
 25. "practice and obedience to the said act;" but the commons instantly rejected the amendment: the lords in a conference submitted to withdraw it; and the only effect of the controversy was to place beyond a doubt the

* The most important of these alterations were perhaps the following: the insertion of the rubric respecting the posture of kneeling at the sacrament, the admission of persons not yet confirmed to communion, and the dispensing with new married persons from the obligation of receiving the communion on the day of marriage, and of the sick from the obligation of confessing their sins and receiving absolution.

meaning in which the subscription was understood by the legislature*.

There were two other clauses, which also gave offence. By one, it was provided that no person should administer the sacrament, or hold ecclesiastical preferment, who had not received episcopal ordination; by the other, that all incumbents, dignitaries, officers in universities, public schoolmasters, and even private tutors, should subscribe a renunciation of the covenant, and a declaration of the unlawfulness of taking up arms against the sovereign under any pretence. It was in vain that the lords objected: a conference followed; the court came to the aid of the commons; the opposition was abandoned: and the bill in its improved form received the royal assent†.

During the progress of this question, the lords had displayed a spirit of liberality which shocked the more rigid orthodoxy of the lower house. They appealed to the declaration from Breila. That instrument was an offer made by the king as head of the adherents to the church and the throne, and accepted by the several other parties within the kingdom. It was virtually a compact between him and the people, which fixed the price of his restoration. The people had done their part in receiving him; it became his now to secure to them the boon which he had promised. That boon, as far as regarded religion, was liberty to tender consciences, and freedom from molestation on account of difference of religious opinion; two things which, it was apprehended, could not be reconciled with the disquali-

* *Lords' Journals*, xi. 573, 577. The duke of York and thirteen other peers entered their protests against the amendment, "because it was destructive to the church of England as then established." 573.

† *Stat.* v. 364. *Clarendon*, 154. In the conferences between the houses much stress was laid on the opportunity which tutors possess of impressing what notions they please on the minds of their pupils. To this circumstance was attributed the strong opposition made to Cromwell in parliament by the younger members: for, during the commonwealth, the clergy of the church of England supported themselves by teaching and brought up their pupils in principles of loyalty. *Lords' Journals*, 417.

fyng enactments of the bill. The manager for the commons replied, that the declaration from Breda had been misunderstood. "Tender" was an epithet implying susceptibility of impression from without; a tender conscience was one which suffered itself to be guided by others; the liberty to tender consciences was therefore confined to the "mised," and did not extend to the "misleaders;" it was granted to the flocks, but not to the pastors. In aid of this sophistical exposition, he also observed, that the declaration referred to the peace of the kingdom, and to a future act of parliament, as if the act to be passed had been one to impose restraint, instead of "granting indulgence," or the allusion to the peace of the kingdom had not been understood as an exception of the seditious and anarchical doctrines promulgated by some of the fanatical preachers*. The act of uniformity may have been necessary for the restoration of the church to its former discipline and doctrine; but if such was the intention of those who formed the declaration from Breda, they were guilty of infidelity to the king and of fraud to the people, by putting into *his* mouth language which, with the aid of equivocation, they might explain away, and by raising in *them* expectations which it was never meant to fulfil.

The triumph of the church was now complete. The bishops had already been restored to their seats in parliament, and the spiritual courts had been re-established. To the first of these measures a strong opposition was anticipated from the united efforts of the catholics and presbyterians in the house of lords: but of the catholic peers, one only, the viscount Stafford, voted against it; and among the presbyterians the opposition was confined to the survivors of those who had originally supported the bill, incapacitating clergymen from the exercise of temporal authority. The second was accomplished with equal facility; but, at the same time, the

* Lords' Journals, xi 449.

ecclesiastical jurisdiction was curtailed of two of its most obnoxious appendages, the high commission court, and the power of administering the oath *ex officio* *.

5° Among others, the English catholics had cherished a hope of profiting by the declaration from Breda; and that hope was supported by the recollection of their sufferings in the royal cause, and their knowledge of the promises made by Charles during his exile. The king was, indeed, well disposed in their favour. He deemed himself bound in honour and gratitude to procure them relief; he knew the execration in which the penal laws against them were held on the continent; and had often declared his resolution to mitigate, whenever he should be restored to his father's throne, the severity of such barbarous enactments†. In June 1661, June the catholics met at Arundell-house, and presented to 28. the lords a petition, complaining of the penalties to which they were liable for the refusal of oaths incompatible with their religious opinions. The presbyterian leaders lent their aid to the catholic peers; and Clarendon placed himself at the head of their adversaries. Not a voice was raised in favour of the statutes inflicting capital punishments; but, after several debates, the house resolved that "nothing had been offered to move their "lordships to alter anything in the oaths of allegiance "and supremacy." In the mean time, colonel Tuke‡ was heard at the bar against the sanguinary laws; and 21. several papers stating the grievances and prayer of the catholics had been laid on the table. The petitioners claimed the benefit of the declaration from Breda, and observed, that the only objection to their claim rested

* Stat 306. 315. Whoever will compare the account in Clarendon, 138, with the Journals, xi 279, 81, 83, will be astonished at the inaccuracies of the historian. In five material points, including the principal part of his narrative, he is flatly contradicted by the testimony of the Journals. So far was the bill from being detained in the house of lords, that it was forwarded through all its stages with unprecedented rapidity. It was sent from the commons on Thursday, and passed by the lords on the Tuesday following.

† Clarendon, 140.

‡ Sir G. Tuke, of Cressing Temple, in Essex. Pepys, i. 364.

on the supposition that the acknowledgment of the spiritual supremacy of the pope implied the admission of his temporal superiority. Against this they protested. The doctrine of his temporal authority was a problematical opinion, admitted indeed by some individuals, but no part of the catholic creed; and the petitioners (so far were they from holding it) offered to bind themselves by oath "to oppose with their lives and fortunes the "pontiff himself, if he should ever attempt to execute "that pretended power, and to obey their sovereign in "opposition to all foreign and domestic power whatsoever "without restriction*." The house having received the report of a committee to inquire into "the sanguinary laws," resolved to abolish the writ *De Hæretico Inquirendo*, and to repeal all the statutes which imposed the penalties of treason on catholic clergymen found within the realm, or those of felony on the harbourers of such clergymen, or those of premunire on all who maintained the authority of the bishop of Rome. But this measure of relief did not equal the expectations of the laity, who sought to be freed from the fines and forfeitures for recusancy; and the whole project was quashed by the cunning of an adversary, who moved and carried a resolution that no member of the society of Jesuits should enjoy the benefit of the intended act. Immediately discord spread itself among the petitioners; pamphlets in favour of and against the society were published; and, on the one hand, it was contended that the boon, with whatever exceptions it were clogged, ought to be accepted, and that the Jesuits were bound in decency to resign their own pretensions for the common benefit of the body; on the other, that the distinction sought to be established by the bill was groundless and unjust, and that, if the catholics consented to purchase relief for themselves by the proscription of the order, they would entail on their memory the stigma of selfishness and perfidy. Amidst

July
16.

* Kennet's Register, 476.

these altercations, the committee at Arundell-house was dissolved; the progress of the bill was suspended, at the request of the catholic peers; and, in the succeeding session no one ventured to recall it to the attention of parliament*.

6. Though the kingdom presented everywhere the appearance of tranquillity, the different parties continued to look on each other with jealousy and apprehension. That there existed many, who, if they had possessed the means, wanted not the will, to overturn the royal government, cannot be doubted; and these, by the imprudence of their language or their carriage, might occasionally minister just cause of suspicion; but, on the other hand, there were also many whose credulity was as extravagant as their loyalty, who could discover traces of guilt in conduct innocent or indifferent; and who daily besieged the council board with the history of their fears, and with denunciations of treason. Most of these informers met with deserved neglect; but to some it was thought greater credit was due the king communicated their discoveries to the two houses; arrests were ordered, and convictions and executions followed. It has often been asserted that these plots had no real existence; that they were fabricated by the ingenuity of Clarendon, who sought, by exciting unfounded alarms, to procure the sanction of parliament to the measures which he meditated against the non-conformists. But the authors of this charge, so disgraceful to his charac-

* Journals, xi. 276, 286, 299, 310. Kennet's Register, 469, 476, 484, 495. Orleans, 236. Letter from a Person of Quality to a Peer of the Realm, &c. 1661. Clarendon in his account of this transaction (p. 143), tells us that the Jesuits were apprehensive of being excluded from the benefit of the act, and broke up the committee at Arundell house by declaring, that, "catholics could not, with a good conscience, deprive the pope "of his temporal authority which he hath in all kingdoms granted to him "by God himself." But Clarendon is, as usual, incorrect; for they were actually excluded from the benefit of the act (Journ. 310) and in their "reasons," published by them at the time, they declare that ever since the year 1618 all Jesuits, by order of their general, "are obliged, "under pain of damnation, not to teach the doctrine" which Clarendon "cribes to them, "either in word, writing, or print" Kennet's Reg. 4.

ter, were men whose sufferings on the score of religion made them his enemies, and who never supported their assertions with any satisfactory proof; nor is it underserving of remark, that, at the very same time the royalists suspected him of a secret connexion with the republicans, because he received their informations with an air of coldness, and with expressions of disbelief*.

These reports and proceedings had, however, a considerable influence on the temper of the two houses, and turned their attention to the fate of the surviving regicides, who were still detained in prison. Of those who had been excepted from the penalty of death, all enjoying titles of honour were degraded; and three, the lord Monson, sir Henry Mildmay, and Robert Wallop, on the 30th of January, were pinioned upon hurdles, and drawn through the streets with halters round their necks to the gallows at Tyburn, and back again to prison. Of those who had surrendered in consequence of the proclamation, the punishment had been respited till further order of parliament. A bill for their immediate execution was now introduced, passed by the lower house, and sent to the lords; who read it once, examined the prisoners at their bar, and never afterwards noticed the subject†. The fact is, that these unhappy men owed their lives to the humanity of the king. "I am weary of hanging," he said to the chancellor, "except for new offences. Let the bill settle in the houses, that it may not come to me; for you know that I cannot pardon them‡."

There still remained Vane and Lambert, who, though not actually guilty of the death of Charles I., were considered as fit objects of punishment. Lambert had been the last to draw the sword against the royal cause, and was still looked up to by the republicans as their nominal head. Vane, if he had incurred ridicule by his

* See Monkton's account. Lansdowne MSS. 988, f. 346.

† C. Journ. 1661, July 1: 1662, Jan. 27; Feb. 1. 3. L. Journ. xi. 275. 380. Pepys, i. 243.

‡ See Clarendon's notes in Clar. Pap. iii. App. xlii.

extravagance as a religionist, was highly distinguished by his abilities as a statesman. In the first capacity, he had published books replete with pious fanaticism and unintelligible theology; in the latter he stood without a rival as to matters of finance and civil policy. To his counsels and foresight the cavaliers chiefly attributed the almost uniform success of their adversaries; but his great and unredeeming offence was one which, though never mentioned, could never be forgotten. He had been, at the beginning of the troubles, the cause of the death of Strafford, by communicating to Pym the document which he had purloined from his father's desk. There was, however, this peculiarity in the case both of Vane and Lambert, that, though the convention parliament had refused to except them from the penalty of death, yet, on account of the declaration from Breda, it had recommended them to mercy in the event of a conviction, and the recommendation had been favourably received and answered on this account by the king*. 1660
Sept. 5
Charles, was disposed to leave them in prison without further molestation, but the house of commons ordered the attorney-general to bring them to trial, and by three successive addresses extorted the royal consent†. 1661.
July 1.
1662.
Feb. 19.
Lambert, who had so often faced his enemies in the field, trembled at the sight of a court of justice; Vane, who had never drawn the sword, braved with intrepidity the frowns and partiality of his judges. The first behaved with caution and modesty: he palliated his opposition to Booth and Monk, by pretending that he was ignorant of their attachment to the house of Stuart; and appealed to the royal mercy, to which he thought himself entitled by the king's proclamation and answer to the address of the convention parliament. He received judgment of death; but was sent to the island of Guernsey, where he beguiled the hours of banishment by the cultivation

* C Journ Aug 28, 1660, Sept 5 L Journ xi 156

† C. Journ July 1, Nov 22, 1661, Jan. 10, Feb. 19, 1662.

of two arts in which he delighted, those of the florist and the painter*. Vane, on the contrary, boldly maintained the principles which he had formerly advocated. He was, he said, no traitor. By the act which rendered the long parliament indissoluble without its own consent, the two houses were raised to a power equal and co-ordinate with that of the king, and possessed a right to restrain oppression and tyranny: by the war which followed between these equal authorities, the people were placed in a new and unprecedented situation, to which the former laws of treason could not apply: after the decision by the sword, "a decision given by that God who, being Judge of the whole world, does right, and cannot do otherwise," the parliament became *de facto* in possession of the sovereign authority, and whatever *he* had done in obedience to that authority was justifiable by the principles of civil government, and the statute of the 11th of Henry VII. He spoke with a force of reasoning and display of eloquence which surprised the audience and perplexed the court: and the judges were reduced to lay down this extraordinary doctrine, that Charles, in virtue of the succession, had been king *de facto*, and therefore in possession of the royal power from the moment of his father's death. Hitherto by a king in possession had been understood a king in the actual exercise of his authority, which Charles most certainly was not; but the judges supported their decision on the ground that he was the only person then claiming the royal power; a miserable sophism, since the authority, the exercise of which constitutes a king *de facto*, was actually possessed by the parliament which had abolished the very name and office of king†.

To Charles his conduct on this occasion was repre-

* Six years afterwards he was brought to the island of St. Nicholas, Plymouth, where he remained a prisoner till his death, about the end of March, 1684.

† State Trials, vi. 119-186. But Vane did not merely obey the authority in actual exercise of the supreme power; he formed a part of that authority, keeping the king *de jure* out of possession.

sented as an additional offence, a studied vindication of rebellion, a public assertion that the houses of parliament were the only supreme power in the nation. He began to think Vane "too dangerous a man to let live, "if he could be honestly put out of the way:" and that scruple was removed by the sophistry of those who maintained that the king was no longer bound by the royal word; for even God himself refused forgiveness to the unrepenting sinner. Charles commuted the punishment of hanging for decapitation; and Vane submitted with cheerfulness to his fate. On the scaffold he displayed the same intrepid bearing which he had manifested at his trial, and was about to renew the advocacy of his principles to the spectators, when the trumpets were sounded in his face, and his notes were demanded and taken from him by the sheriff. He suffered on June Tower-hill. It was the spot where the blood of his victim, Strafford, had been shed: and there he also fell, an expiatory sacrifice to the manes of that nobleman. The one began, the other, after an interval of one-and-twenty years, closed, the list of proscription furnished by this period of civil discord*.

From the restoration of the royal authority in England, we may turn to its re-establishment in Scotland and Ireland; which countries, as they had not been mentioned in the declaration from Breda, depended for their subsequent fate on the good pleasure of the sovereign.

I. With respect to Scotland, the first question submitted to the royal consideration was, whether it should remain in its present state of an incorporated province, or be restored to its ancient dignity of an independent kingdom. By his English advisers Charles was reminded that the Scots were the original authors of the calamities which had befallen his family: they were now, indeed, a conquered and prostrate people; but let him beware

* Pepys, i. 275. See the letter of Charles to Clarendon, in Harris, v. 32. State Trials, vi. 187—198. Ludlow, iii. 89.

how he replaced them in a situation to display their accustomed obstinacy, and to renew their disloyal engagements. But the king cherished more kindly feelings towards the land of his fathers, and willingly acquiesced in the prayer of the Scottish lords, whom loyalty or interest had drawn to his court. The survivors of the committee of estates, whom he had named previously to his disastrous expedition into England in 1651, received orders to resume the government of Scotland: and the earl of Middleton was appointed lord commissioner, the earl of Glencann lord chancellor, the earl of Lauderdale secretary of state, the earl of Rothes president of the council, and the earl of Crawford lord treasurer. The two first had repeatedly proved their loyalty in the field; the other three had suffered a long imprisonment for their services under the duke of Hamilton: of the five, Middleton chiefly possessed the confidence of the English cabinet, though Lauderdale, from the phancy of his temper, and his constant attendance on Charles, had won the personal affection of the monarch.

In a short time a parliament was summoned to meet at Edinburgh[†]. The terrors of punishment for past delinquency had been held out as a warning to the prudence of the members; and the house was found to be composed of cavaliers by principle, or of proselytes eager to prove the sincerity of their new political professions. To obtain from such men a recognition of the legitimate rights of the sovereign was an easy task; but the commissioner had in view an object of more difficult attainment. In his opinion, the royal authority could never be secure till the church, by the restoration of the hierarchy, should be rendered dependent on the crown; and, for this purpose, he undertook to exalt the prerogative, to demolish the covenant and the pretensions which had

* The proceedings of this parliament were afterwards called in question because the members neglected to sign the covenant, a condition required by a law then in force and declaring the constitution of parliament without it null and void. Kirkton, 88. From the habitual intoxication of Middleton and his friends, it was called the drunken parliament. *Id.*

been built upon it, and to humble the pride, and curb the presumption of the kirkmen. By a series of acts it was declared that the power of appointing the chief officers in the state, of calling and dissolving parliaments, of commanding the forces, and of making treaties with foreign potentates, resided solely in the king; that without his assent no acts passed in parliament could obtain the force of law; that it was high treason for subjects to rise, or continue in arms, without the sanction of his authority; that all assemblies, under the pretence of treating of matters of state, civil or ecclesiastical, were, if holden without his special consent, contrary to law; that neither the solemn league and covenant, nor the treaties arising out of it, could authorize any seditious interference with the churches of England and Ireland; that, for the future, no man should take, or offer to be taken by others, the said covenant without his majesty's special warrant and approbation; and that every individual holding office should subscribe a declaration of his submission to these acts, and take an oath of allegiance, acknowledging the king to be "supreme governor over all persons and in all cases." The ministers had viewed these enactments, so rapidly succeeding each other, with misgivings and apprehension: they knew not how to reconcile with their consciences a declaration which seemed to make the destiny of millions dependent on the will of a single man; and they discovered in the oath an implied acknowledgment of the king's spiritual supremacy, to the disherison of Christ and of the kirk. To their representations Middleton replied that the sovereign did not claim any ecclesiastical authority in "the word, the sacraments, or the discipline;" but when they prayed that the explanatory epithet "civil" might therefore be inserted before "governor," he contemptuously rejected their petition*.

* Scottish Acts, p. 10. 2, 3, 6, 8, 45. Kirkton, 90. Wodrow, 21—24. 26, App. viii. Baillie, ii. 449, 450. Burnet, i. 197—9. Oxford, 1823, and Middleton's Narration in Miscel. Anal. 179.

Emboldened by his success, the commissioner ventured to recommend a measure unprecedented in the annals of Scotland. Though much had been done to clear the way before him, the lawyers still discovered a multitude of legal obstacles to the accomplishment of his object; and, to save time and debate, he resolved by one sweeping and decisive act to annul all the proceedings of all the Scottish parliaments during the last eight-and-twenty years. The lord-treasurer and the young duke of Hamilton* objected, that one of these parliaments had been honoured with the presence and sanction of Charles I., and another with those of his son, and that to rescind them would be to repeal the act of indemnity, and the approbation of the "engagement." But Middleton replied, that on each occasion the king, though in possession of physical liberty, had been under moral restraint; and that the alleged acts, laudable as they were in their object, were grounded on motives so false and hypocritical, as to prove a disgrace to the national legislation. His reasoning, or his authority, silenced his opponents; the recissory act was passed: and at one blow every legal prop of the Scottish kirk was levelled with the ground. The ministers looked around them with astonishment. They met in several counties to consult and remonstrate; but their synods were everywhere dispersed or suspended by the authority of the government†.

Mar.
28.

Another object of the commissioner, subsidiary to the former, was to intimidate by examples of punishment. In England, the demands of justice had been satisfied with the blood of the regicides; to expiate the guilt of Scotland, a more illustrious victim was selected, the marquess of Argyle. No man had more deeply offended in the opinion of the cavaliers: they called for vengeance

* A son of the marquess of Douglas, who obtained the title in consequence of his marriage with the heiress of the late duke of Hamilton, with 20,000*l.* out of the customs of Leith. Bailie, ii. 442.

† Scottish Acts, p. 86. Wodrow, 27. 31—24. Burnet, 199. Miscel. Aul. 182.

against the betrayer of his sovereign and the murderer of Montrose; and they represented him to Charles as the most crafty and selfish of demagogues; one who, under every change, whether he swayed the councils of the Scottish rebels, or placed the crown on the head of the true heir at Scone, or sat as a commoner in the parliament of the usurper Richard, had always contrived to conceal, under the mask of patriotism, his only real object, the aggrandizement of his family. The moment he arrived in London, to pay his court to the restored monarch, he was secured and conducted to the Tower; his petition for a personal interview was refused, through the influence of those who were acquainted with his insinuating manner, and the easy temper of the king; and Charles, to escape from the painful task of deciding on his fate, sent him back to Scotland, to be tried by his countrymen, or rather by his enemies in parliament*. From them Argyle had no reason to expect either justice or mercy. He first sought to obtain delay, by soliciting a commission to examine witnesses; then abandoning all defence, threw himself on the mercy of the sovereign; and, when his submission was rejected as unsatisfactory by the parliament, claimed the benefit of the amnesty formerly granted at Stirling. To this, in opposition to the remonstrances of Middleton, Charles declared that he was fully entitled; and thus the charge against him was confined to offences alleged to have been committed since 1651; which were, that he had repeatedly employed defamatory and traitorous language in speaking of the royal family; that he had obtained a grant of 12,000*l.* from Oliver Cromwell; that he had given his aid to the English invaders against the liberty of his country; and that he sat and voted in the parlia-

* Wariston and Swinton were almost as odious to the cavaliers as Argyle. The first escaped the search of his enemies, the second was discovered and apprehended. But the zealous and stubborn covenanter dwindled into a meek and humble quaker, and by the ingenuousness of his confession saved his life, though he forfeited his estate. The writings, however, contended that, if he had not trembled, he never would have quaked. Baillie, ii. 446. Kirkton, 96, 9. Wodrow, 86.

ment of Richard Cromwell, which had passed a bill to abolish the right of the Stuarts to the crowns of the three kingdoms. It was replied, that of the words attributed to the accused, some had never been uttered by him at all, and others were susceptible of a very innocent meaning; that the money had been received from Cromwell, not as a reward for services rendered to the usurper, but as a compensation for losses suffered by the marquess; and that the laws which prevail under a legitimate government, ought not to be strictly applied to the conduct of subjects during a temporary usurpation; because, though it were treasonable to concur in transferring the sovereign authority to an unjust possessor, it might be meritorious to employ the authority so transferred for the good of the country. Now this was the case of Argyle. He sat, indeed, in Richard's parliament; but he sat there, not to support the usurper, but to procure a diminution of the taxes imposed upon Scotland, to prevent the incorporation of the country with England, and to lend a helping hand to the restoration of the legitimate monarch. For some time his fate remained in suspense: it was decided by the arrival of a small parcel of four or five letters, formerly written by him, partly to Monk, partly to other Cromwellian officers*. With their purport we are not accurately acquainted: but the result proves that they contained strong assertions of enmity to the king, or of attachment to the protector. They were read in the house; his friends, oppressed with shame and despair, retired; and judgment of death was pronounced against the unfortunate nobleman. Still, could he have appealed to the king, his life would probably have been spared; but his judges allowed him only forty-eight hours to prepare for

May
25.

* Whether such letters were in reality furnished by Monk, is a disputed question; the affirmative of which is strongly maintained by the editor of *Howell's State Trials*, x. 764, note. But that they were letters of "friendship and confidence," appears to me very uncertain. For though Burnet and Cunningham represent Monk and Argyle as living in habits of friendship, the documents in Thurloe show that they were distrustful of each other. *Thurloe*, v. 604; vi. 341; vii. 584.

death, and he employed them in seeking from God that mercy which was refused to him by man. In the fervour of his prayer, he thought that he heard a voice saying, "Son, be of good cheer, thy sins are forgiven thee;" and, under this persuasion, he mounted the scaffold with May an intrepidity which disappointed the malice of his 27. enemies, and expressed an attachment to the covenant, which raised him to the rank of a martyr in the estimation of the kirkmen. His head was struck off by the maiden, and fixed on the same spike which had been crowned with that of his reputed victim, Montrose*.

That the forms of justice were violated in this celebrated trial, no one can doubt. Whatever may have been the offences of Argyle, they were not judicially proved. But he had rendered himself odious to the cavaliers by his strenuous advocacy of the covenant, to his countrymen by his subserviency to their English conquerors, and to the more moderate part of the clergy by his adhesion to the remonstrants. It was supposed that his death had been hastened by his enemies, as much through the hope of enriching themselves from the wreck of his fortune, as for the gratification of revenge. But Charles rescued his vast possessions from their grasp, and gave them back, with some exceptions, to his eldest son, whom he created earl of Argyle†.

The execution of this nobleman was followed by that of Guthrie, one of the most violent and influential among the protesting ministers. He had formerly excommunicated Middleton, had joined the western remonstrants,

* State Trials, v. 1369—1508. Baillie, ii. 451, 2. Kirkton, 100—4. Wodrow, 42—57. App. 23—8. 30—45. Clarendon, 58. 212. Burnet, i. 207—14. At the same time "the parliament thought fit to honour Montrose his carcase with a glorious second burial, to compensate the dishonour of the first, and with him one Hay, of Delgattie (a flagitious papist), and one of his colonels." Kirkton, 129.

† The young Argyle, in a private letter to the lord Duffers, complained in no very measured terms of the commissioner and the parliament. The letter was intercepted, and the writer accused of *leasingmaking*, which by the Scottish law was a capital offence. The parliament condemned him to death; but Charles granted him a pardon, and, after some time, discharged him from prison. Kirkton, 143.

and been one of the compilers of the tract, entitled "The Causes of God's Wrath;" and since the restoration, he had called, in defiance of the committee of estates, a meeting to remind the king of the duties imposed on him by the covenant, and to warn him against the employment of malignants in his service. He attempted to vindicate his conduct by appealing to the confession of faith, the national covenant, the solemn league and covenant, and the unbending opposition which he had always offered to the usurpation of the Cromwells. But it was resolved that one of the clergy should suffer as an example to the rest; and his colleague, Gillespie, who, by the turbulence of his zeal, and his proud contempt of the civil authority, had earned an equal, if not a better, claim to the crown of Martyrdom, descended from his high pretensions, and submitted to solicit the royal pardon, on condition of promoting the cause of episcopacy. Guthrie appeared on the scaffold with an air of triumph, and harangued the spectators in his usual tone of invective and enthusiasm. He declared that God was wroth at the sins of the people; he threatened them with the worst of the divine judgments; and foretold that the candlestick of the kirk would be removed out of its place, a prediction which was verified sooner, perhaps, than he expected. In company with him perished the third and last victim, a captain Govan, who had laid down his arms at Hamilton, and deserted to Cromwell. Why he was selected to suffer in preference to so many others, no one knew; but it was generally thought that his offence might have been passed over without notice, on account of the utter insignificance of the man*.

On the first news of the king's restoration, the Scottish ministers had most anxiously deprecated the extension to Scotland of the indulgence to tender consciences promised by him at Breda; in the course of a year they

* Baillie, ii. 455. 7 453. Kirkton, 109, 110, 111. Wodrow, 57-70. 77. App 47. Burnet, i. 214.

were compelled to solicit for themselves, and to solicit in vain, that indulgence which they had so sternly refused to others *. By the 16th act of the session "the settling " and securing of church government, as might be consistent with scripture, monarchy, and peace," had been intrusted to the king: Middleton now assured him that the restoration of episcopacy was the earnest wish of the nation; and a proclamation soon announced the royal **Sept.** intention of gratifying that wish, and at the same time ^{6.} prohibited all meetings of synods and presbyteries. Of the former prelates, Sydserf alone survived; but he was a man of no estimation with either party; and though his ambition aspired to the archiepiscopal see of St. Andrews, he was compelled to content himself with the distant bishopric of Orkney. The first dignity in the restored hierarchy was given to one whose elevation filled the ministers with rage and despair—to Sharp, who had been sent to London as their agent for the purpose of preserving the independence of the kirk, and who now returned wearing the archiepiscopal mitre, the lord of his former equals, and the subverter of their spiritual rights. In revenge, they pryed into the frailties of his private, and condemned him of perfidy in public, life. The charge of incontinency and infanticide may with probability be attributed to the malice of his enemies; but the result of his mission, so advantageous to himself, so disastrous to his employers, must throw doubts on his integrity; and few, who have read his letter to Middleton of May 28th †, will give credit to his assertions that he served the kirk faithfully while there remained a chance of success, and only accepted the archbishopric, when he saw that his refusal would leave it open to the ambition of men of violent and dangerous principles. By his advice, Fairfoul was named to the see of Glasgow, Hamilton to that of Galloway, and Leighton to that of Dunblane. The two first never

* Baillie, ii. 459. Wodrow, *Introd.* 21, 2. App. to do. 57.

† See it in *Archæol. Scot.* ii. 103.

equalled the expectations which they had raised; the third, son of the Dr. Leighton who under Charles I. suffered as the author of "Zion's Plea against Prelates," was so distinguished by his piety, disinterestedness, and learning, that the enemies of episcopacy could offer no other objection against him, than that he was in heart a papist. The four prelates were summoned to the English capital to receive episcopal ordination. "a flower not to be found in a Scottish gardine;" they were consecrated at Westminster by Sheldon, bishop of London, and the event was celebrated with a banquet, the luxury and splendour of which afforded matter of censure to their opponents, and scandalized the simplicity of Leighton. From the English capital they repaired to their own country. At Edinburgh they were received in solemn procession, the parliament invited them by deputation to take their seats in the house, and an act was passed restoring them to "the exercise of the episcopal function, precedence in the church, power of ordination, infliction of censures, and all other acts of church discipline;" and ordaining that, "whatever should be determined by his majesty with their advice and that of other clergymen nominated by him, in the external government and policy of the church, should be valid and effectual." In a short time the number of prelates was augmented to fourteen, and all ministers who had entered on their livings since the year 1649, were ordered to receive collation from their respective bishops under the penalty of deprivation*.

To gild this bitter pill, the commissioner advised the

* Baillie, ii. 459, 460. Kirkton, 81. 5. 135—8. Miscel. Aul. 184. Wodrow, i. 96—163. 114. 116. App. 52. Clarendon, 213. Burnet, i. 223—38. The English bishops would not allow of the presbyterian ordinations, nor admit that episcopacy, as the plenitude of the sacerdotal character, necessarily included the lower orders, a principle on which Spotiswood, in the reign of James I. had been consecrated bishop without passing through the preliminary orders of deacon and priest. On this account Sharp and Leighton, who had not received episcopal ordination, were compelled to receive these two orders preparatory to that of bishop. But, on their return to Scotland, they acted on the principle previously adopted at the consecration of Spotiswood. Burnet, i. 237. Wodrow, i. 109. Kirkton, 137.

king to withdraw the English forces from Scotland. This he thought reasonable, and his English counsellors, though they still wished to keep their northern neighbours under the yoke, reluctantly acquiesced in the pleasure of their sovereign. The garrisons were recalled, and the fortifications, the badges of Scottish slavery, were demolished. Such, to Scotland, was the immediate result of the restoration; the nation recovered its civil, and lost its ecclesiastical independence*.

II. The reader is aware, that in Ireland a new race of proprietors had arisen, soldiers and adventurers of English birth, who, during the late revolutionary period, had shared among themselves the lands of the natives, whether royalists or catholics. On the fall of Richard Cromwell, a council of officers was established in Dublin; 1660. these summoned a convention of deputies from the pro-
Feb. 7. testant proprietors; and the convention tendered to Charles the obedience of his ancient kingdom of Ireland. It was not that the members felt any strong attachment to the cause of royalty; they had been among the most violent and enterprising of its adversaries; but their fear of the natives, whom they had trampled in the dust, compelled them to follow the footsteps of the English parliament. To secure the royal protection, they made the king an offer of a considerable sum of money, assured him, though falsely, that the Irish catholics meditated a general insurrection, and prayed him to summon a protestant parliament in Ireland, which might confirm the existing proprietors in the undisturbed possession of their estates. The present was graciously accepted; and the penal laws against the Irish catholics were ordered to be strictly enforced; but Charles was unwilling to call a parliament, because it would necessarily consist of

To divert the attention of the more fervent from these changes, they were exhorted to exercise their zeal against papists and witches. All the acts against the former were ordered to be put in execution, and commissioners, to search for the latter, were appointed in almost every parish. Multitudes were executed for this imaginary offence. Wodrow, 107, 8. 9.

* Clarendon, 213—6. Burnet, i. 183. Wodrow, 107. Lister, iii. 122.

men, whose principles, civil and religious, he had been taught to distrust*.

The first measure recommended to him by his English advisers, with respect to Ireland, was the re-establishment of episcopacy. For this no legislative enactment was requisite. His return had given to the ancient laws their pristine authority, and by these laws no other form of church government was acknowledged. In virtue, therefore, of his supremacy, Charles directed the surviving bishops to take possession of their respective dioceses, nominated new prelates to the vacant sees, and authorised them to reclaim all ecclesiastical property which had fallen into the hands of laymen. The ministers petitioned against this measure; and, had the recent settlers been true to their principles, a most formidable opposition would have been raised. But mammon got the better of conscience: they dared not provoke a monarch, on whose pleasure they depended for the preservation of their lands; and, in a short time, the episcopal hierarchy was quietly restored to the enjoyment of its former rights, and the exercise of its former jurisdiction†.

To this, a work of easy accomplishment, succeeded a much more difficult attempt,—the settlement of landed property in Ireland. The military, whom it was dangerous to disoblige, and the adventurers, whose pretensions had been sanctioned by Charles I., demanded the royal confirmation of the titles by which they held their estates‡; and the demand was opposed by a multitude of petitioners claiming restitution or compensation, by officers who served in the royal army before 1649, and had not yet received the arrears of their pay, by protestant loyalists, whose property had been confiscated

* Clar. Contin. 57.

† Clar. 105.

‡ Charles I. had given his assent to the first act (17 Car. I.), but the parliament had afterwards, in 1643, passed the doubling ordinance, by which, whoever advanced one-fourth more on his original subscription, received credit for twice the amount of the whole sum actually furnished. The subscriber of 1000*l.*, by adding 250*l.*, became creditor to the amount

under the commonwealth, by catholics who had never joined the confederate assembly at Kilkenny, or had faithfully observed the peace concluded with Ormond, or had served under the royal banners in Flanders, by heirs, whose estates had been forfeited on account of the misconduct of the last holders, though they were but tenants for life, by widows, who had been deprived of their jointures, and by creditors, who could no longer recover on bond or mortgage*. Humanity, gratitude, and justice, called on the king to listen to many of these claims. He sincerely deplored the miserable state of the Irish natives, whom the republicans had swept from the soil of their birth, and "transplanted" on the barren district beyond the Shannon; and he deemed himself bound in honour and conscience to protect the interests of the loyalists, who had followed him in his exile abroad, or at his command had left the service of foreign powers to form the royal army on the continent*.

From an estimate delivered to the king, it appeared, that there still remained at his disposal forfeited lands of the yearly rental of from eighty to one hundred thousand pounds; a fund sufficiently ample, it was contended, to "reprise" or compensate all the Irish, really deserving of the royal favour. Under this impression, 1660. Charles published his celebrated declaration for the settlement of Ireland. It provided, that no person de- Nov. 28. riving his title from the adventurers under the parliament, or the soldiers under the commonwealth, should be disturbed in the possession of his lands, without receiving an equivalent from the funds for reprisals; that all innocents, whether protestants or catholics, that is, persons who had never adhered either to the parliament or the confederates, should be restored to their rightful

of 2500*l.* and was entitled to lands in Ireland of that value. Where the original subscriber refused, any other person might advance the fourth, and receive the whole benefit arising from the advance, which the first had forfeited. Carte's Ormond, ii. 224. In the settlement of Ireland all claims of doubling were rejected.

* Clar. 60—66.

† Clar. 112.

estates ; and that of those who claimed under the peace of 1648, such as had accepted locations in Clare and Connaught should be bound by their own acts, compulsory as those acts had been, but the others should recover their former possessions, or receive lands of equal value.

To this arrangement was appended a list of the qualifications of innocence but so constructed as to exclude from the benefit of that plea the greatest possible number of catholics. Not only to have openly adhered to the confederates, but even to have corresponded with them, or to have derived advantage from the treaties concluded between them and Ormond, or to have lived quietly at home, if that home was situated within the quarters of the confederates, were to be taken as conclusive evidence of guilt, and an effectual bar to relief[†].

The subject now came before the Irish parliament. The commons, who had been returned by the preponderating influence of the soldiers and adventurers, voted that the declaration should be passed into a law ; but by the lords it was contended that such a law would reduce the old families, both catholic and protestant, to a state of penury, in order to establish a new and upstart interest 1661. in Ireland. By order of the former, a deputation of the June house proceeded to London to lay the draft of a bill 12. before the king in council ; but the lords appointed four commissioners to oppose some of its provisions ; and the catholics seized the opportunity to petition by agents in their own favour.

The contending parties were repeatedly heard by Charles himself ; and the Irish had reason to expect a favourable result, when they marred their cause by their Sept. imprudence[†]. In the ardour of declamation, they not only defended themselves, but assailed others. Why, they asked, were they to be deprived of their estates in favour of rebels and traitors ? Because, it was answered,

* *Irish Statutes*, II. 239—248. *Carle's Ormond*, II. 216.
† *See Ormond's Letter in Carle*, II. 233.

they stood there covered with the blood of one hundred thousand protestants massacred by them during their rebellion *. They, indeed, denied the charge; they retorted it in the face of their accusers; murder was a crime with respect to which they were more sinned against than sinning. Their only wish was that an inquiry should be instituted; and that the real murderers, whatever were their religion, should be excluded from the benefit of the bill of indemnity. But the patience of Charles (he had hitherto attended the debates with the most edifying assiduity) was exhausted, he longed to withdraw himself from the recriminations of these violent disputants, and on the discovery of an obnoxious paper, formerly signed by sir Nicholas Plunkett, one of the agents, ordered the doors of the council to be closed against the deputies of the natives. The heads of the bill were then arranged, returned to Dublin, and ultimately passed into a law by the parliament.

But to execute this act was found to be a task of considerable difficulty. By improvident grants of lands to the church, the dukes of York, Ormond, and Albemarle the earls of Orkney, Montith, Kingston, Massarene, and several others, the fund for reprisals had been almost exhausted, and yet it was from that fund that compensation was to be furnished to the forty-nine officers, to the ensignmen, or those who served in Flanders, and to

* Walsh (*Irish Colours Folded* p 3) asserts that their opponents raised the number to three hundred thousand. Mrs. Mordaunt (*Hist. vi 62*) tells us that 'no attempt was made by the papists to disprove the "assertion respecting the massacre. Most assuredly she could never have heard of the several tracts written at the time, and provoked by this charge, such as *The Irish Colours Folded*, by P W; *A Collection of some of the Massacres and Murders committed on the Irish since 1641*, or *Walsh's Reply to a Person of Quality*, or to a Person of Quality's Answer, or his Letter to the Bishop of Lincoln, p 225—230, or a Letter to a Member of Parliament, shewing the Hardships, Cruelties, &c., or a Brief Narrative of Cruelties committed on the Irish. In Ireland's Case briefly stated, p 41, an attempt is made to prove that the number of persons murdered by the protestants exceeded by six times that of those murdered by the catholics.

† *Clar* 106—115. *Carte*, ii. 245. *Memoirs of Orrery* 67—70. The obnoxious paper was the copy of instructions from the supreme council in 1648 to their agent, to offer Ireland to the pope, or any catholic power, that would undertake to defend them against the parliament. *Carte*, *ibid.*

1662.
May.

the soldiers and adventurers, who might be compelled to yield up their plantations by the court of claims. Among this class, indeed, a general alarm was excited; for in the course of six months, during which the commissioners sat, several hundred decrees of innocence had been issued, and three thousand petitions still remained for investigation. To secure themselves, they demanded an explanatory act: the duke of Ormond, now lord-lieutenant, repaired to London, and ten months were spent in useless attempts to reconcile the jarring interests of the different parties.

From the very beginning of these transactions, the actual occupants of the lands had displayed a bold defiance of decency and justice in their efforts to bring the cause to a favourable termination. 1°. They had recourse to bribery. A fund of more than 20,000*l.* was subscribed, and placed in the hands of sir James Sheen, who hastened to London, and purchased, at different rates, the patronage and good offices of persons supposed to possess influence in the council, or over the mind of the king*. 2°. To keep up the irritation of the public mind against the Irish catholics, they had circulated reports of an intended rebellion, forwarded to the council informations respecting imaginary plots, and, at length, produced a treasonable letter supposed to be written by one clergyman to another, and dropped by the latter, as he made his escape from the officers of justice. Many priests were immediately apprehended; all catholic shopkeepers and mechanics were banished out of the principal towns: and the houses of the catholic gentry were searched for the discovery of arms and ammunition. But the two clergymen, the supposed writer and receiver of the letter, boldly came forward, and proved the forgery, to the entire satisfaction of the council, and the confusion of those who had fabricated the pretended conspiracy†.

The Irish house of commons, which was composed

* Omer, Letters, 101. Carte, ii 232.

† On this occasion a protestation of allegiance, composed by Richard

of persons deeply interested in the result, submitted to the approbation of the lord lieutenant a new code of rules to be established in the court of claims. By him it was rejected, on the ground that such rules would render the proof of innocence almost impossible; and its authors, in a moment of irritation, moved and carried a bold and dangerous vote, pledging the house to defend the protestants of Ireland against the unjust decisions of the commissioners. The consequence was soon apparent. The knowledge of this vote awakened from its slumbers the revolutionary spirit of the settlers, who had formerly borne commissions in the republican armies. They had won their lands with the sword, why should they not defend them with the sword? Associations were formed; plans of attack were arranged; and two plots, having for their object to seize the castle of Dublin, and secure the person of the lord-lieutenant, were defeated by the previous disclosures of some among the conspirators. Of these, the greater part merited pardon by the humble confession of their guilt; several suffered the penalty of death*.

The duration of this perplexing controversy at last induced the most obstinate to relax from their pretensions; and the soldiers, the adventurers, and the

Bellings, was approved at a private meeting in Dublin, and transmitted to London, where it was signed by the principal of the Irish catholics in the capital, one bishop, several clergymen, and many peers and gentlemen. By Charles it was graciously received; but certain passages in it were disapproved in Rome, and censured by the university of Louvain. This did not prevent the leading catholics in Dublin from subscribing their names to a circular letter exhorting the laity to sign the protestation or remonstrance. Ormond, however, ordered the letter to be suppressed; and when other instruments were offered to him, similar in their object, but less offensive to the court of Rome in their language, he rejected them as unsatisfactory. In 1666 a synod of the clergy subscribed a new form, founded on the celebrated articles of the Gallican church, but this he also refused to accept. See Walsh, *History and Vindication*, &c. 97. 694. What was Ormond's real motive? "My aim," he says in a private letter, "was to work a division among the Romish clergy, and I believe I had accomplished it, to the great security of the government and the protestants, and against the opposition of the pope, and his creatures and uncles, if I had not been removed." Carte, ii. App. 101.

* Carte, 261. 5, 6. 70. Orrery, *Letters*, 134.

grantees of the crown, unanimously consented to augment the fund for reprisals by the surrender of one-third 1665. of their acquisitions. The king by this measure was Aug. placed in a situation, not indeed to do justice, but to silence the most importunate or most deserving among the petitioners; and, by an explanatory act, he gave to the forty-nine protestant officers the security which they sought, and added twenty catholics to a former list of thirty-four nominees, or persons to be restored to their mansion-houses, and two thousand acres of land. But when compensation had thus been made to a few of the sufferers, what, it may be asked, became of the officers who had followed the royal fortune abroad, or of the three thousand catholics who had entered their claims of innocence? To all these, the promises which had been made by the act of settlement were broken; the unfortunate claimants were deprived of their rights, and debarred from all hope of future relief. A measure of such sweeping and appalling oppression is perhaps without a parallel in the history of civilized nations. Its injustice could not be denied; and the only apology offered in its behalf, was the stern necessity of quieting the fears and jealousies of the Cromwellian settlers, and of establishing on a permanent basis the protestant ascendancy in Ireland*.

Though, to facilitate the execution of the act, it was provided that any doubt on its construction should be interpreted in favour of the protestant party, yet so many difficulties occurred, that several years elapsed before the settlement was completely accomplished. The following is the general result. The protestants were previously in possession of about one moiety of all the profitable lands in the island: of the second moiety, which had been forfeited under the commonwealth, something less than two-thirds was by the act confirmed to the protestants; and of the remainder, a portion

* *Clar.* 119. 134. *Carte*, 810—6. *Irish St.* vol. iii. 2—137.

almost equal in quantity, but not in quality, to one-third, was appropriated to the catholics *.

* From a valuable MS. paper belonging to Sheffield Grace Esq. and published by him in his interesting Memoirs of the Family of Grace, it appears that the profitable lands situated in Ireland under the commonwealth, amounted to 7,704,23½ statute acres, leaving undisturbed about 8,500,000 acres belonging to the protestants, the constant good affection men of the Irish, the church and the crown, besides some lands never seized or surveyed.

In 1673, the forfeited lands had been disposed of as follows —

Granted to the English

	St. Acres
Adventurers	787,326
Soldiers	2,385,915
Forty nine officers	150, 3½
Royal Highness Duke of York	163,441
Provisors	277,873
Duke of Ormond and Col Butler's land	257,516
Bishops Augmentations	31,546
	<hr/>
	4,560,037

Granted or disposed of to the Irish

	St. Acres
Decrees of innocence	1,176,520
Provisors	491,001
King's letters of restitution	46,308
Nominees in possession	18,60
Transplantation	541,540
	<hr/>
	2,323,903

The forty nine officers are those who claimed arrears for service under the king before 1649. The duke of York received a grant of all the lands held by the regicides who had been attainted. Provisors were persons in whose favour provisos had been made in the acts. Nominees were the catholics named by the king to be restored to their mansion houses and two thousand acres contiguous. Transplantation refers to the catholics whom Cromwell forced from their own lands, and settled in Connaught.

There remained 824,391 acres still unappropriated, which were parts of towns, or possessed by English or Irish without title, or, on account of some doubts, had never been set out. *Memo* 37—39

CHAPTER V

CHARLES II.

Marriage of the duke of York with Anne Hyde—Of the king with the princess of Portugal—Sale of Dunkirk to the French—Declaration of indulgence to tender consciences—Disapproved by both houses—Great naval victory—The plague in London—Five-mile act—Obstinate actions at sea.

AMONG the immediate consequences of the restoration, nothing appeared to the intelligent observer more extraordinary than the almost instantaneous revolution which it wrought in the moral habits of the people. Under the government of men making profession of godliness, vice had been compelled to wear the exterior garb of virtue; but the moment the restraint was removed, it stalked forth without disguise, and was everywhere received with welcome. The cavaliers, to celebrate their triumph, abandoned themselves to ebriety and debauchery: and the new loyalists, that they might prove the sincerity of their conversion, strove to excel the cavaliers in licentiousness. Charles, who had not forgotten his former reception in Scotland, gladly availed himself of the opportunity to indulge his favourite propensities: That affectation of piety and decorum which had marked the palace of the protector Oliver, was soon exchanged for a perpetual round of pleasure and revelry; and the court of the English king, if inferior in splendour, did not yield in refinement and voluptuousness, to

that of his French contemporary, Louis XIV. Among the females who sought to win his attentions, (and this, we are told, was the ambition of several *,) the first place, both for beauty and influence, must be allotted to Barbara Villiers, daughter of viscount Grandison, and wife to a gentleman of the name of Palmer †. On the very day of the king's arrival in the capital, she established her dominion over his heart, and contrived to retain it for years, in defiance of the inconstancy of his disposition, and the intrigues of her rivals. With her Charles generally spent several hours of the day; and, even when the council had assembled to deliberate in his presence, the truant monarch occasionally preferred to while away his time in the bewitching company and conversation of his mistress ‡.

James and Henry, the dukes of York and Gloucester, religiously copied the example set by their sovereign and elder brother. But before the lapse of six months, ¹⁶⁶⁶ Henry was borne to the grave §; and soon afterwards it ^{Sent.} began to be whispered at court, that James was married ^{13.} to a woman of far inferior rank, Anne, the daughter of the chancellor Hyde. The duke had become acquainted with her at the court of his sister, the princess of Orange, to whom she was maid of honour. Anne possessed few pretensions to beauty; but wit and manner supplied the place of personal charms ||: she attracted the notice of the young prince, and had the address to ¹⁶⁵⁹ draw from her lover a promise, and afterwards a private ^{Nov.} contract, of marriage. From the Hague, she followed ^{21.}

* Reresby 7.

† Roger Palmer was son of sir James Palmer, chancellor of the garter, by Catherine, eldest daughter of sir William Herbert, afterwards earl of Powis. Roger Palmer was created by Charles II, earl of Castlemaine and baron Limerick. He died in 1705.

‡ "He delighted in a bewitching kind of pleasure called sauntering" Sheffield, ii. 78

§ The king mourned in purple. Pep. i. 139.

|| La duchesse de York est fort laide; la bouche extraordinairement fendue, et les yeux fort crailliez, mais très courtoise. Journal de Monconis, p. 22. Lyons, 1666. Hamilton says, that she had l'air grand, la taille assez belle, et beaucoup d'esprit. (Mém. de Grammont, i. 149, Edition de Cazin.) Pepys, that she was a plain woman, like her mother, i. 186.

the royal family to England; and, in a few months her situation induced James to marry her clandestinely, 1660. according to the rite of the church of England *, and to reveal the important secret to the king, whose objections Sept. 3. (for he heard it with pain) were soon subdued by the passionate importunity of his brother. To most fathers this alliance would have proved a subject of joy; but Hyde, with expressions of anger, the extravagance of which might have provoked a doubt of their sincerity, affected to deplore the disgrace of the royal family, and advised Charles, after the precedents of former reigns, to send the presumptuous female to the Tower. Unable to persuade the king, who, perhaps, laughed at his officiousness in secret, he confined, in virtue of his parental authority, the undutiful daughter to a room in his own house; while, by the connivance of one of the family, probably the mother, James had free access to the cell of the captive, and sought by his assiduity to console her for the displeasure, whether it were real or pretended, of her father. Neither had the father much reason to Nov. 3. complain. The king made him a present of 20,000*l*, and raised him, by the title of baron Hyde of Hindon, to the peerage †.

The choice of James was severely condemned by his mother, by his eldest sister, and by the political enemies Sept. 23. of the chancellor. The princess of Orange, who had recently arrived in England, declared to the king, that she would never yield the precedence to a woman who had stood as a servant behind her chair. The queen-mother indulged in terms of the bitterest reproach; and hastened her promised visit to her children, that she might prevent so foul a disgrace to the royal houses of England and France ‡. Charles Berkeley, whether he

* Kennet's Register, from the Council book, 381.

† Clarendon, 31, 32.

‡ She previously intended to come, that she might meet all her children together, and look after her dower. Clar. 32—36. It would appear, that the lands settled on her as her dower had been in a great measure shared among persons who had a hand in her husband's death. On inquiry, the

was influenced by enmity to Hyde, or by the hope of making his fortune, came to their aid, affirming with oaths, that Anne had formerly been his mistress, and bringing forward the earl of Arran, Jermyn, Talbot, and Killigrew, as witnesses of her loose and wanton behaviour. Lastly, divines and lawyers were produced, grave and learned casuists, who maintained in presence of the duke, that no private contract of marriage on his part could be valid without the previous consent of the sovereign. The resolution of James was shaken: he interrupted his visits to Worcester-house, and assured his mother and sister that he had ceased to look upon Anne as his lawful wife.

In a few weeks she was delivered of a son. While she lay in the throes of childbirth, her confessor, Dr. Morley, Oct 22. bishop elect of Worcester*, standing by the bedside, adjured her, in the name of the living God, to speak the truth before the noble ladies, who attended by order from the king. To his questions she replied, that the duke was the father of her child, that they had been contracted to each other before witnesses, and that she had always been faithful to his bed.

For some days James had continued silent and melancholy. The birth of the child, and the assertions of the mother, revived his affection; on examination, Berkeley confessed that his charges against her were calumnies, and the duke, ashamed of his credulity, resolved to do her justice. He visited her at her father's house, sent for her accusers, and introduced them to her by the title of duchess of York. They knelt, she gave them her hand to kiss, and, acting up to the instructions of her

present holders were found to be Okey, Walton, Scroop, Norton, Pride, Whalley, Edwards, and Tichborne, the king's judges: Denby, serjeant-at-arms to the court; Lambert and Blackwell. Jour. of Com. 1660, June 23.

* Morley tells us, that she was accustomed to receive the sacrament every month, and then proceeds thus: "Always the day before she received, she made a voluntary confession of what she thought she had offended God in, either by omission or commission, professing her sorrow for it, and promising amendment in it: and then kneeling down, she desired and received absolution in the form and words prescribed by our church." Morley apud Kennet, Register, 385.

- Dec. husband, never afterwards betrayed any hostility against
 24. them. One of her enemies, the princess of Orange, died; and the queen-mother, at the request of the French minister Mazarin, who wished to conciliate the chancellor, desisted from her opposition. Anne was
 1661. received by her at court with a smiling countenance,
 Jan. and the appellation of daughter; and the new duchess
 1. supported her rank with as much ease and dignity as if she had never moved in an inferior situation*.

This marriage was founded in affection: two others followed, the origin of which is to be sought in the policy of courts. The treaty which Mazarin concluded with Cromwell had taught the French monarch to value the aid of that power by which he had been enabled to conclude with honour and profit the long and expensive war with Spain. Still Spain was a formidable rival: the existing peace was considered by the two cabinets as only a breathing time preparatory to the renewal of hostilities; and Louis, to secure the services of England under the restored dynasty, resolved to cultivate the friendship of the prince whom, to gratify Cromwell, he had formerly excluded from his dominions. This became, during the whole reign of Charles, one great object of French policy; and the first step taken was the proposal, through the queen-mother, of a marriage between Henrietta, the youngest sister of Charles, and Philip, the only brother of Louis. To Henrietta it opened a brilliant and seducing prospect; by the English
 Mar.
 31. king it was received with joy and gratitude; and the ceremony was performed with becoming magnificence, soon after the return of the princess with her mother to France†.

Charles himself, in 1659, with the hope of repairing

* See Clarendon's very minute and ridiculous account of the whole transaction, 28—40. Pepys, i. 144. 50. 62. 64, 65. Mem de Gram. i. 233—241.

† These reasons are assigned by Louis himself, as his motive for proposing the marriage. (Env. i. 61. Charles, by the marriage contract, bound himself to give to his sister 40,000 jacobuses, by way of portion, and 20,000 as a present. Dumont, vi. par. ii. p. 354.

by the assistance of France the loss which his interests had suffered from the defeat of Sir George Booth, had made the offer of his hand to the niece of the cardinal Mazarin; but that minister, having received an unfavourable account of the royal party in England, modestly declined the honour, as far above the pretensions and the wishes of his family. In a few weeks the tide of popular feeling turned in favour of royalty, and Mazarin sought to renew the negociation; but the king's ardour for the lady had already cooled; to recover his crown, he wanted not the assistance of her uncle; and he was unwilling to bind himself in the trammels of wedlock*. After his return, the more sober among his counsellors saw with pain the scandal which he gave by his amours; they repeatedly and earnestly advised him to marry; and at last the example of his brother induced him to think seriously on the subject. But against the royal and princely families in the north of Europe he had, from some cause or other, contracted an invincible antipathy; and to marry a catholic princess from the south was likely to shock the religious prepossessions of the majority of his subjects. From this state of indecision he was drawn by a tempting proposal, made through the Portuguese ambassador, at the secret instigation of the French court. During the war between France and Spain, Portugal, with the aid of the former, had preserved its independence; but, by the treaty of the Pyrenees, Louis had bound himself to leave the house of Braganza and its rebellious adherents to their fate. It was not, however, his intention that Portugal should be again incorporated with Spain; and, aware that the king Alphonso, a weak prince, under the guardianship of his mother, could oppose no effectual resistance to his more powerful foe, he suggested to the court of Lisbon a marriage between Donna Catarina, the king's sister, and Charles king of England. It would induce the English

* James, *Memoirs*, i. 396.

monarch to support the pretensions of his wife's family, and would open a new channel, through which France might forward assistance to Portugal without any manifest violation of its friendly relations with Spain *. The advice was adopted; and Francisco de Mello, the ambassador in London, offered with the princess a dower of 500,000*l.*, the possession of Tangier on the coast of Africa, and of Bombay in the East Indies, and a free trade to Portugal and the Portuguese colonies. Charles consulted Hyde, Ormond, Southampton, and Nicholas; their advice concurred with the royal inclination; and De Mello

1660. was given to understand that the proposal would be
Nov. accepted †.

The treaty with this minister had not escaped the notice of Vatteville, the Spanish ambassador, who, the moment he discovered its real object, represented to the king, that Spain would never forego her claim to the crown of Portugal; that the Donna Catarina was known to be incapable of bearing children; and that a marriage with her would infallibly lead him into a war, and deprive his subjects of the Spanish trade; but that, if he chose to take one of the two princesses of Parma, Philip would give with either the dower of a daughter of Spain. Charles began to waver; he listened to the suggestions of the earl of Bristol, the enemy of the Portuguese match; and that nobleman proceeded by his order on a

* Le premier de soutenir les Portugais que je voyois en danger de succomber bientôt sans cela; le second de me donner plus de moyen de les assister moi-même, si je le jugeois nécessaire, nonobstant le traité des Pyrénées, qui me le défendoit. Louis, Œuvres, i. 62. It is amusing to observe how the royal casuist proceeds to justify this underhand dealing, the sending, under false names, of forces to the aid of a power, which he had bound himself by treaty entirely to desert. He tells us that the experience of centuries had taught the French and Spanish courts to know the real import of the words employed in the treaties between them; that the expressions "perpetual peace" and "sincere amity," &c. were used with as little meaning as compliments in ordinary conversation; and that neither party expected anything more from the other than to abstain from manifest and public violations of the articles, while each remained at liberty to inflict on his rival, by clandestine and circuitous means, every injury in his power. This necessarily followed from the great principle of self-preservation. Ibid. 63—65.

† Clarendon, 78—81.

secret mission to the city of Parma. There he saw the two princesses on their way to church, and nothing more was necessary to hasten his return. One was so plain, the other so corpulent, that he dared not recommend either to the royal choice*.

In the meantime Charles had been recalled to his first intention by the remonstrances of his advisers, and the arguments of the French king. Bastide, secretary to the late ambassador Bordeaux, arrived in England with 1661. a commission to purchase lead for the royal buildings in Mar. France; but, in a private conference with Hyde, he informed that minister that his real object was to propose the means of establishing a private communication between the two kings, to be conducted by the chancellor on one part, and Fouquet on the other, without the knowledge of their colleagues in the cabinet, or of the ordinary ambassadors at either court. Charles eagerly accepted the proposal; and the correspondence was Aug. maintained during five months, till the disgrace of 26. Fouquet. During that time Louis continually inculcated the advantages of the Portuguese match, offered Charles a considerable sum of money to purchase votes in the parliament, consented to lend him 50,000*l.* whenever he might want it, and engaged to furnish two millions of livres, in the event of a war between England and Spain*. Thus was laid the foundation of that clandestine and confidential correspondence between Charles and Louis, which, in a short time, rendered the king of England the pensionary, and therefore, in a great measure, the dependent, of his good brother, the king of France.

* Clarendon, 86—89. Clarendon, Pap. Supplem. ii. viii.

† Clarendon, 90. Œuvres de Louis XIV. i. 67, and the correspondence itself in the supplement to the third volume of the Clarendon papers, i.—xv. Charles acquainted no one but his brother James with the secret. Two others were employed in it: Bastide, as secretary to Fouquet, and lord Cornbury, Clarendon's eldest son, as secretary to his father. Hyde had the prudence or the honesty to refuse an offer of 10,000*l.* from Louis, though both Charles and James laughed at his simplicity, but he afterwards accepted a present of all the books which had been printed at the royal press, in the Louvre. Clar. 92; Pap. iii. Supplem. i. xi. xiv.

Mar. But Vatteville did not long rely on the success of

28. Bristol's mission. The representative of the catholic king undertook to dissuade Charles from marriage with a catholic princess ; he proposed to him a daughter of the king of Denmark, or of the elector of Saxony, or of the prince of Orange, and engaged that his master should
- May 3. give with any of them the same portion which had been offered with a princess of Parma. At the same time he sought to form a party in the parliament and the city. He opened his table to the discontented, distributed money to the needy, and scattered in the streets printed copies of his memorials against a catholic, and of his offers in favour of a protestant, match. But these efforts proved fruitless. The amount of the dower, the settlements in the Mediterranean and the East Indies, and the concession of an unrestricted trade to Portugal and its dependencies, presented advantages certain and present ; while the dangers predicted on the score of the infanta's
8. religion were at the best distant and uncertain. A full council of eight-and-twenty members had, without a dis-
2. sentient voice, advised the king to conclude the marriage ; the two houses presented to him addresses of approbation ; the treaty was signed ; and Montague, now earl of Sandwich, received the command of a fleet, with instructions
- June. to cruize in the Mediterranean, and, at the appointed time, to bring the Portuguese princess to England*.

Vatteville bore the disappointment with impatience, and whether he thought to mortify the French court for its interference, or only to gratify the pride of his countrymen, he announced his attention of reviving the ancient quarrel for precedency between the crowns of

July 20. France and Spain. On the first occasion, the entry of Carara, the Venetian ambassador, Charles prevailed both on Vatteville and on d'Estrades, the representative of Louis, to take no part in the ceremony : but the latter

* Clarendon, 89. Papers, iii. Sup. ii. v. vi. vii. L. Journ. xi. 241. 4
252. Kennet. Reg. 431.

was reproved for his condescension by his court; each prepared to assert his claim on the next opportunity, the expected entry of Brahé, the Swedish ambassador; and the king, unable to restrain these champions of vanity, forbade his subjects by proclamation to interfere in the contest. D'Estrades summoned every Frenchman in London, on his allegiance, to support the honour of his sovereign; he sent for reinforcements to Boulogne of which he was governor, and introduced into his house in disguise several of the officers and troopers belonging to that garrison. Vatteville, who could not muster so formidable a force*, sought to compensate by art for inferiority of number, ordering the traces of his carriage to be made of chains of iron covered with leather, and allotting to each of his followers his particular station and employment. The Tower wharf was selected for the field of battle; at noon arrived the carriage of the Spanish ambassador with about forty servants in liveries; and about two, that of the French ambassador, attended by one hundred persons on foot, and about forty on horseback, armed with pistols, or musketoons and carbines. At three Brahé landed at the stairs; and the moment he departed in one of the royal carriages, those of the two ambassadors started for the place of honour. The opposite parties charged each other; the shouts of the crowd animated the combatants; blood began to flow, and more than fifty persons were killed or wounded in this extraordinary fray. The victory remained with the Spaniards. The French coachman fell from his seat; the horses were disabled, and the traces cut. Vatteville's carriage instantly took the place of honour; its attendants, though repeatedly charged, gallantly repulsed the assailants; and the conquerors, as they passed through the streets, were loudly cheered by

Sept.
30.

* D'Estrades assured his master that the Spaniards were aided by several thousand Englishmen. He can only mean that they encouraged the Spaniards by their shouts.

the populace and the soldiery*. Louis received the news with feelings of grief and indignation, not that he lamented the fate of those whose lives had been so wantonly sacrificed, but that he deemed his reputation lowered in the opinion of other powers, because the representative of a rival crown had gained the superiority in a senseless and disgraceful quarrel. Without a moment's hesitation he sent Fuensaldagna, the Spanish minister, out of his dominions, demanded ample reparation from the court of Madrid, and refused to listen to any accommodation, till Philip had expressed his sorrow at so untoward an occurrence, recalled his pugnacious representative from London, and promised that his ambassadors should always absent themselves from ceremonies, in which there might be danger of their coming into competition with those of the French crown †.

In the meanwhile, the earl of Sandwich with the English fleet, having swept the Mediterranean of the Turkish corsairs, and made a bold, but fruitless attempt on the shipping behind the mole at Algiers, received from Jan. the Portuguese possession of Tangier, part of the marriage portion of the infanta. The return of spring summoned him to Lisbon, and Donna Catarina, bidding adieu to her relatives and native land, embarked on April 13. board his ship, the destined bride of the English monarch ‡.

* "It is strange to see how all the city did rejoice. And, indeed, we do "all naturally love the Spanish, and hate the French." Pepys, i. 223. I have taken the particulars of this fray from Evelyn's official account, ii. 458. Pepys, i. 2—214. Clarendon Papers, iii. Suppl. xvii. Rugge's MS. 297, and Louis XIV. i. 119.

† *Œuvres de Louis*, i. 125, 131. Dumont, vi. part. ii. p. 403, 4. Para se abstengan y no concurren con los embajadores y ministros de V. Majestad en todas las funciones y ceremonias publicas. Dumont, *ibid*. This voluntary absence was explained by Louis to be an acknowledgment of his superior rank; and it is amusing to observe how vain he was of it. Je ne saisis, si depuis le commencement de la monarchie il s'est rien passé de plus glorieux pour elle . . . c'est une espèce d'hommage, qui ne laisse pas doubter à nos ennemis même, que notre couronne ne soit la première de toute la chrétienté . . . C'étoit un malheur que ce tumulte de Londres; ce seroit maintenant un malheur qu'il ne fut pas arrivé. I. 132. 136.

‡ Kennet's Register, 512—617. 652. Clarendon, 165.

To Mrs. Palmer the approaching marriage was a subject of anxiety and distrust. Charles, that he might pacify the temper of his imperious mistress, redoubled his attentions. He generally dined and supped at her house; he made to her the most costly presents; he created her husband, against his will, earl of Castlemaine in Ireland, with remainder to the issue male of the body of his wife, the lady Barbara: and solemnly promised, that, instead of banishing her from court, he would appoint her lady of the bedchamber to the new queen*.

At length, after a long and stormy voyage, the fleet with the Portuguese princess reached Spithead: but Charles was detained in London at the time, by the real or pretended necessity of bringing the business of the session to a close. In the interval Catherine was solicited to waive her claim of having the marriage celebrated after the catholic rite: but she held the king to his engagement; and on his arrival at Portsmouth they were married in a private room by her almoner, Stuart d' Aubigny, in the presence of Philip, afterwards cardinal, Howard, and of five other witnesses pledged to profound secrecy†. Thence the king led her to the hall, across which a rail had been erected to divide the royal party from the company; and, the bishop of London having pronounced them married in the name of the Father, the Son, and the Holy Ghost, the ribbons, which the bride wore in profusion, were cut from her dress, and distributed in small portions among the spectators‡. In point of personal charms and fashionable acquirements the new queen could not enter into competition with her dazzling and formidable rival: yet she was not without claims to beauty; her good nature and good sense gave a charm to her conversation, and the more she was known, the more she displayed the amiable qualities of

May
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* Pepys, i. 235. 245. 264. 647.

† From the MS. *Relazione del Abbate Agretti*, and the faculty for the performance of the marriage granted to Aubigny by Ellice, dean of the catholic clergy, dated Ap. 23.

‡ Lady Fanshawe's Memoirs, 144.

her heart. The king was gratified beyond his expectations; he thought himself fortunate in the acquisition of such a wife; and so little did he know of his own heart, that he boasted to his friends of the pattern of conjugal fidelity which he should thenceforth set to his court*. The royal pair came by easy journeys to Hampton court, and lived for a few days in the most edifying harmony. But it was not the intention of Charles to estrange himself from the company of Castlemaine, nor did she allow him to forget the imprudent promise which had been wrung from him by her tears. In fact, he began to look upon her as having now additional claims on him for protection: for since the queen's arrival she had borne him a son, and her husband had withdrawn to the continent, with the view of separating himself from her for ever. One day, therefore, taking "the lady" (such was her usual designation) by the hand, he presented her to the queen in the midst of a brilliant court. Catherine was able to subdue her feelings for the moment. She gave to her rival a most gracious reception: but in a few minutes her eyes were suffused with tears; the blood gushed from her nose; and she was conveyed in a fit to her apartment†. By the king, this incident was considered a most heinous offence. He declared that he would never submit to the whims of his wife: he had been the cause of Castlemaine's disgrace; he was bound in honour to make her reparation. His dissolute companions applauded his firmness; while Ormond and

* If I have talk of "the homely person" of Catherine, others who knew her better, describe her differently. Clarendon, *Contin.* 167. *Clar. Pap.* iii. *Supplem.* xx. Pepys, ii. 268 271, 2 Charles himself, in a letter to the chancellor, speaks of her thus: "Her face is not so exact as to be called a beauty, though her eyes are excellent good, and not anything on her face that in the least degree can shooque one. On the contrary, she has as much agreeableness in her looks altogether as ever I saw; and, if I have any skill in physiognomy, which I think I have, she must be as good a woman as ever was born. Her conversation, as much as I can perceive, is very good; for she has wit enough, and a most agreeable voice. You would much wonder to see how well we are acquainted already. In a word, I think myself very happy." Macpherson, *Papers.* i. 29, note.

† Clarendon, 168.

Clarendon ventured to remonstrate against the indecency and cruelty of the appointment. To their surprise, he replied, that whosoever should oppose his design would become the object of his everlasting displeasure, and that they, if they wished to please him, should employ their influence to overcome the obstinacy of the queen*. Clarendon had the meanness to undertake an office which he abhorred; but Catherine refused to listen to his advice; and Charles in revenge subjected her to the most painful mortifications. The Portuguese ambassador was insulted on her account; her countrywomen were sent back to Portugal; Castlemaine was daily introduced into her apartment, where the mistress received the attentions of the king and the courtiers, while the queen sat alone, silent and unnoticed. For several weeks she maintained the unequal contest: at last her resolution failed; she consented to accept the services of her rival, and even treated her with kindness in private as well as public. But it was now too late: Charles applauded himself for his victory over what he called her wayward and wilful temper; and those who had before admired her constancy, pronounced her a weak and mutable woman†. The empire of Castlemaine was established. She wanted, indeed, (for such was the will of the king,) on Catherine: to the scandal of all good protestants, she even attended her to mass; but, on other occasions, the mistress proved the centre of attraction; the king was always to be found at her suppers and entertainments; officers were placed and displaced at her suggestion; and she at last obtained the higher rank of duchess of Cleveland for herself, with remainder to Charles and George Fitzroy, her children by the king. Catherine, on the contrary, abstained from all political intrigue; and, notwithstanding the prejudice against her religion, by her continual study to please her husband, the meekness with which she bore her wrongs, and the

* See the letter of Charles, note (D).

† *Clar.* 169—180.

dignity and grace with which she performed the duties of her station, grew daily in the esteem of the public. Charles himself condemned, though he did not reform, his conduct : and subsequently, on occasion of her sickness, displayed all the anxiety and grief of the most affectionate husband. The physicians had despaired of her life : and when she prayed him to allow her body to be interred with the remains of her fathers, and to protect her native country from the tyranny of Spain, he fell on his knees, and bathed her hands with his tears. Yet from this affecting scene he repaired immediately to the house of Castlemaine, and sought amusement in the company of a new mistress, La Belle Stewart, the daughter of Walter, son of lord Blantyre *. Catherine, however, recovered, and the king pursued his wonted course of dissipation and gallantry.

With the infanta, Charles had received in money and merchandize a portion of 350,000*l*. This sum afforded a temporary relief to the needy monarch ; but the expenses of the armament under lord Inchiquin for the protection of Portugal, and of the expedition destined to take possession of Bombay, soon involved him in fresh pecuniary embarrassments. The chancellor, to whose negligence he imputed the insufficient provision made for him by the convention parliament, saw that, to prop up his declining credit, it was necessary to discover some new resource ; and he probably suggested, undoubtedly advised, the sale of Dunkirk to the French king. Though a few weeks only had elapsed since he had described in strong colours the advantages which the nation derived from the possession of that seaport, Charles, assented to the proposal ; Bellings was secretly despatched to Paris ; and d'Estrades, who had been appointed ambassador to Holland, came to England, at the invita-

* Lettres du comte de Comminges, Pepys, v. App. 455, 456. He was sure to find Stewart at Castlemaine's, for " il menaça la dame, ou il soupa " tous les soirs, de ne mettre jamais le pied chez elle, si la demoiselle vivy " étoit." 455. See also the Diary of Pepys himself, ii. 41. 50. 61. 103. 5, 6. 116. 143. 355.

tion of the king, but under pretence of private business, in his way to the Hague. Clarendon's first attempt was to shift the responsibility of the measure from himself to the council; and with that view Charles mentioned it at his house before the duke, the treasurer, the lord-general, and the earl of Sandwich, who, though they acknowledged that the charge of the place, amounting to the annual sum of 130,000*l.*, exceeded its real value, were still unwilling to part with it, unless at a price which might justify the sale in the eyes of the public. The negotiation now began. Clarendon asked twelve, Aug. d'Estrades offered two millions of livres; but the first 7. descended by degrees to seven, the other rose to four, and the bargain was at last concluded for five millions. Here, however, a new difficulty arose. Charles re-Sept. quired to be paid in ready money; Louis would only 11. advance two millions at once, and pay the remaining three by instalment, in the course of two years. Both were inflexible; and d'Estrades had sent his servants on board a vessel preparatory to his departure, when an expedient was proposed and accepted, that Louis should 15. give bills for the remainder, payable at different dates, which Charles might sell at the highest price that he could procure. The treaty was now signed; and the Oct. conditions on both sides were faithfully executed*. But 17. the French king proved too adroit for his English brother. A banker from Paris arrived in London, and, after a short negotiation, discounted the bills at something more than sixteen per cent. But the man was in reality a secret agent of the French cabinet; the money which he paid was supplied by the French treasury; and Louis, by this artifice, was enabled to buy up his

* Clarendon, in the continuation of his own life, has given a detailed account of this transaction, written evidently for the purpose of exculpating himself: but his narrative is perpetually belied by the original documents in the "*Lettres d'Estrades*, 279. 282, 283. 421, &c., in the supplement to the third volume of the "*Clarendon Papers*, xxi.—xxv., in "*Combe's Sale of Dunkirk*, London, 1728, and *Pepys*, ii. 369."

own securities at a profit of five hundred thousand livres*.

Though Charles and his minister congratulated themselves on their success, they afterwards looked back on it with feelings of regret. The sale of Dunkirk had no small influence on the subsequent fortune of each. The possession of it had flattered the national pride: it was a compensation for the loss of Calais; it might equally open a way into the territory of England's most ancient and natural enemy. But Charles had sold it, not, it was said, to defray the expenses of the state, but to satisfy the rapacity of his mistresses, and to indulge in his wonted extravagance; and Clarendon had advised the sale, not through any wish to gratify his sovereign, but in consequence of an enormous bribe from the king of France. This charge was undoubtedly false; but the magnificent pile, which he built for the residence of his family, was taken as a proof of his guilt, and the name of Dunkirk-house, which it soon obtained, served to confirm and perpetuate the belief of the people†. The public discontent began to be openly expressed; Charles saw a formidable party growing up against him; and Clarendon, after a protracted struggle, submitted to his fate, and fled to the continent‡.

We may now proceed to an important and perplexing question, on which it was impossible for the king to decide, without giving offence to a considerable portion of his subjects—the indulgence to tender consciences,

* Je gagnai sur ce marche cinq cent mille livres, sans que les Anglois s'en apperçussent . . . le banquier étoit un homme interposé par moi, qui faisant le paiement de mes propres deniers, ne profitoit point de la remise. —Œuvres de Louis XIV. i. 176 Backwell was sent to Paris to receive the sum of 2,500,000 livres, which leaves a profit to Louis of 500,000, as he states himself. But, if we may believe the warrant to Backwell (Lister, iii. 511), besides that sum to be paid in Paris by Henniin, the pretended banker, the sum of 254,000 livres had already been "secured" in England, which would reduce the discount to eight per cent.

† Pepys, ii. 250.

‡ Bellings, who, throughout the negotiation, was interpreter between Clarendon and d'Estrades, was, on its conclusion, sent to Rome to solicit the purple for Aubigny. D'Estrades, 359.

which he had promised in the declaration from Breda. Two years had been suffered to elapse, and yet he had done nothing to fulfil, but much that seemed to violate, his word. The advocates of intolerance maintained that he was no longer bound by the declaration. To whom, they asked, had it been made? To the parliament then sitting? But that parliament had released him from all responsibility, by neglecting to remind him of the subject. To the people at large? But the people had transferred their rights to their representatives in the succeeding parliament, and those representatives had set the question at rest by enactments incompatible with such indulgence*. This sophistry, however, did not satisfy the royal mind. Charles thought himself bound in honour to redeem his pledge; and, anxious as he was to replace the church on its former foundation, he still deprecated every measure which savoured of hardship or persecution against those who dissented from it. At the request of the presbyterians, whose deputies were introduced to him by the lord-general, he promised to suspend the execution of the act of uniformity for three months, provided they would consent to read the book of common prayer during that period. Clarendon, though he disapproved of the promise, thought that since it had been made, it ought also to be observed; but the bishops and their friends pronounced it dangerous, the judges illegal; and all agreed that, in defiance of the royal prohibition, the patrons of benefices held by non-conformists would present on the appointed day, and that their presentations would be allowed by the courts of law. With feelings of shame the king recalled his word: the act came into force on the 24th of August, Aug. and two thousand ministers (the number is perhaps ex- 24.aggerated) resigned, or were deprived. The whole kingdom resounded with apologies on the one side, and complaints on the other. It was said that those who

* Kennet's Reg. 650. Address of Commons, Journals, Feb. 27, 1663.

would not comply with the regulations, ought not to partake of the good things of the church; that the non-conformists were previously intruders; and that they suffered no more than they originally inflicted. It was replied, that the established clergy were ejected during the rage of civil war, the ministers in a season of domestic tranquillity; the former incumbents, by their hostility, provoked the resentment of the ruling power; the present by their services in the Restoration deserved its gratitude: the crime of the first was their political conduct; of the latter, adhesion to the dictates of conscience: then a pittance, at least one-fifth of the income, was reserved for the family of the sufferer; now he was turned adrift, with no other resource but the casual benevolence of the pious and the humane*.

The king, though he had been compelled to yield, yet held himself bound by his promise; and this feeling was kept alive by repeated petitions from the presbyterians, the independents, and the Roman Catholics, who all claimed the benefit of the declaration from Breda†. The question was again referred to the council; the leading members argued against indulgence; Robartes, lord-privy seal, and Bennet, the new secretary of state, in its favour. The sovereign, they contended, possessed, in virtue of his supremacy, the right of suspending penal laws in matters of religion; James and Charles had raised a yearly revenue by the sale of protections; and the king might lawfully exercise a power which had never been disputed in his father or grandfather. The Dec. suggestion was approved; and notice of the royal intention was given in the declaration which he published for the purpose of refuting "the four scandals cast on the "government." 1°. The republicans feared, and the

* Clarendon, 155—160. Kennet, 747.

† Both independents and presbyterians were true to their principles. The independents sought to obtain indulgence for all, catholics as well as others: the presbyterians could not in conscience concur in favour of the catholics, though they would not oppose them. The king might do as he pleased, but they would not advise him, or encourage him to do it. Baxter's Life, part ii. p. 429.

discontented maintained, that the act of indemnity had been passed merely as a temporary measure, and that it was still intended to sacrifice to the revenge and rapacity of the royalists, the lives and fortunes of those who had served the protector or the commonwealth. To this "scandal" the king replied by promising that, as he had freely confirmed, so he would most religiously observe, every provision in the act. 2°. The successive revolutions of the last twenty years had taught men to doubt the stability even of the present government. It was the conviction of the royal brothers that if, at the commencement of the civil war, their father had possessed a small regular force, he might at once have put down his opponents; and under this notion, when the army was disbanded, they retained in pay two or three regiments, with three troops of horse-guards. The whole establishment did not amount to five thousand men*. Yet this force, small as it was, excited alarm. It might be augmented, and employed not to suppress insurrection, but to subvert the national liberties. Most of the nations on the continent had been originally free: it was by the institution of standing armies that they had been enslaved by despotic monarchs. Here Charles defended his conduct on the ground of necessity. While so many factious spirits were employed in agitating the public mind, neither the person of the sovereign nor the freedom of the parliament could be secure without an armed force. Of this proof had been furnished by the insurrection under Venner. But let the laws resume their former empire, let the discontented abandon their rebellious designs, and he would reduce that force to the

* July 4, 1663. "I saw his majesty's guards, being of horse and foot 4000, led by the general the duke of Albemarle, in extraordinary equipage and gallantry, consisting of gentlemen of quality and veteran soldiers, excellently clad, mounted, and ordered, drawn up in battalia before their majesties in Hyde park, where the old earle of Cleveland trail'd a pike, and led the right-hand file in a foote company commanded by the lord Wentworth his son, a worthy spectacle and example, being both of them old and valiant soldiers." Evelyn, ii. 202. See also the *Travels of Cosmo*, iii. 306.

smallest number consistent with the dignity of the crown ; for he would not yield to the most liberal among his subjects in his detestation of military and arbitrary rule. 3°. By many it was said that the act of uniformity proved him to be a faithless unprincipled persecutor. He denied the charge. He had, in the first place, as in duty bound, provided by the act of uniformity for the settlement of the church. it was his intention, in the next place, to fulfil his promise of securing ease to those who, through the scruples of a misguided conscience, refused to conform. For this purpose, he would make it his special care to solicit from parliament an act enabling him to " exercise with more universal satisfaction " that power of dispensing, which he conceived to be " inherent in the crown." Nor did he doubt of the concurrence of the two houses. It was a measure to which he was pledged by his declaration from Breda, and without which it was unreasonable to expect the restoration of public tranquillity. 4°. But the most pernicious scandal remained, that the king was a favourer of popery. This was the artifice by which so many well-meaning protestants had been seduced to bear arms against his father, and his enemies had recourse to it at the present time with intentions equally disloyal. Of his firm adhesion to the true protestant religion he had given convincing proofs under the most trying circumstances. Yet he could not but know that the greater part of the English catholics had adhered, at the risk of their lives and fortunes, to the cause of the crown, and consequently of the church, against those who, under the name of protestants, employed fire and sword for the subversion of both ; and therefore he openly avowed that he did not mean to exclude catholics from some share of that indulgence which he had promised to tender consciences. It would be unjust to refuse to those who had deserved well, the boon which was granted to those who had not ; and the laws against catholics were so rigorous, so sanguinary, that to execute them

would be to do violence to his nature. Let them not, however, presume so much on his goodness as to look for toleration, or to scandalise protestants by the open practice of their worship; otherwise they would find that he knew as well how to be severe when wisdom required it, as indulgent when charity and a sense of merit claim indulgence from him*.

But these were doctrines ill adapted to the intolerant notions of that age. The declaration, instead of making proselytes, was received by the majority of the people with distrust of the motives, and a resolution of withstanding the wishes, of the king. They could not comprehend how an attachment to the interests of protestantism could exist with a willingness to grant any portion of indulgence to catholics; they recalled to mind the former reports of the king's apostacy, which had been circulated by the policy of his enemies during the commonwealth; and they openly asserted that he cared little for the sufferings of the dissenters, but merely sought, under the pretence of relieving them, to extend the same benefit to the papists. Charles, at the opening of the next session, condescended to vindicate himself from these aspersions, and, in proof of his own orthodoxy, demanded the enactment of new laws to check the progress of popery. But, with respect to the dissenters, he represented it desirable that the crown were vested with the power of extending indulgence to the peaceable among them, in circumstances when they might otherwise be tempted to expatriate themselves, or to conspire against the state. In accordance with the sentiments of the sovereign, the lord privy seal, aided by lord Ashley, brought into the upper house a bill enabling the king to dispense at his discretion with the laws and statutes, requiring oaths, or subscriptions, or

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* See the Declaration in Kennet, Register 818—91. It has been said that the real object of the declaration was the introduction of popery; but I am both ignorant why any such intention should be attributed to the king, and unable to discover how the declaration could have produced such effect.

- obedience to the doctrine and discipline of the established church*. Both houses were immediately in a flame.
- Feb. 27. The lower, though the bill was not before it, presented to the king an address, in which, having thanked him for the other parts of the declaration, they contended that the indulgence which was sought would amount to the legal establishment of schism, would expose his majesty to the ceaseless importunities of the dissenters, would lead to the multiplication of sects and sectaries; and, ending in universal toleration, would produce disturbance instead of tranquillity, because men of every religious persuasion form a distinct party, pursuing their peculiar interests, and acting in accordance with their peculiar prepossessions. In the higher
- Mar. 5. house, the lord-treasurer placed himself at the head of the opposition: during the first day's debate, he
12. was zealously supported by the bishops; on the second day the chancellor, though confined by a severe fit of the gout, left his room to lend his powerful aid to the cause of the church, and, in the vehemence of his zeal, indulged in a severity of language highly offensive to the sovereign. Their efforts succeeded; the house passed to a different subject; and the bill was suffered to remain unnoticed on the table†. Though Charles appeared to bear with composure the loss of this his favourite measure, he felt the disappointment keenly, and expressed his opinion to Clarendon with a warmth which surprised and terrified the minister. From that

* Provided always, that no such indulgence shall be construed to extend to tolerating the use and exercise of the popish religion in this kingdom. See copy of Act in *State Trials*, xii. 379.

† *C. Journals*, Feb. 27, 28. *L. Journals*, xi. 478 82. 6. 91. Bennet had read the declaration to Clarendon, who was confined to his chamber with the gout. He objected to some passages. Corrections were therefore made, and the declaration was read to him a second time. Did he then approve? According to Bennet in a letter to Ormond, Jan. 13, "He had" it distinctly read twice to him, periode by periode, and not only approved "it, but applauded the contents of it, and assured mee it was entirely "according to his mind."—*Lister's Clarend.* iii. 232. Clarendon himself writes to Ormond, (Jan. 31) that he made many objections. At the second reading, "I told him, by the time he had writ as many declarations as I had done, hee would find they are a very ticklish commodity, and that the first care is to see that they do no hurt."—*Ibid*, 233. This remark does not shew that he disapproved of the alterations.

day it became manifest that neither Clarendon nor Southampton possessed his former credit with the sovereign. As to the bishops, Charles hesitated not to charge them with ingratitude and bigotry. It was, he said, to his promise from Breda that they owed their restoration to power, and now they employed that power to prevent him from fulfilling his promise. It was the intolerance of the prelates under his father which led to the destruction of prelacy, and now, as soon as they were replaced in their former situation, they reverted to the practice of intolerance. His carriage altered with his sentiments. Hitherto he had been accustomed to receive and treat them with the most marked respect. Henceforth he was careful to show by his manner that he held them in no esteem; and the courtiers, aware of the change in the royal mind, turned their persons and their sermons into subjects of sarcasm and ridicule*.

The king was, however, doomed to drink more deeply of the cup of mortification. He had asked permission to shelter the catholics, who had served the royal cause, from the extreme severity of the penal statutes, and in Mar. return both houses presented to him an address for a 31. proclamation ordering all catholic priests to quit the kingdom, under the penalty of death. After a faint April struggle he acquiesced. The champions of orthodoxy 2. followed up their success; and, affecting to comply with the royal recommendation, introduced a bill to check the growth of popery, but coupled with it another to arrest the diffusion of non-conformity. Both passed with rapidity through the house of commons; but in the house of lords their progress was continually impeded by the objections of the presbyterian and catholic peers; and their patrons, before the prorogation, substituted in their place an address to the king, to put in execution all the July penal laws against catholics, dissenters and sectaries of 25. every description†.

* Clarendon, 245—9. Life of James, i. 423. Pepys, ii. 27. 28. 27.
† L. Journ. xi. 558, 578. C. Journ. Ap. 27; May 30.

- June During this session, whilst the commons were engaged with the consideration of the revenue, Charles, through secretary Coventry, informed them that one of the members, sir Richard Temple, had offered in his own name and the name of his friends, "to undertake "his majesty's business," and to settle the revenue to his liking, if the king would honour them with his confidence; and afterwards, in answer to an address from the house, he signified that the message to him from Temple had been delivered by the earl of Bristol. That nobleman immediately requested to be heard in his own justification; and, being admitted within the bar, said, that it was neither his intention to accuse sir Richard Temple, for he was certainly innocent; nor to contradict his sovereign, for his majesty's testimony was beyond exception: but he might be allowed to say that his language to the king must have been very different from his thoughts. What he had meant to suggest to him was, that the concession of benefits to the people should precede the demand of money by the sovereign; and that, if this had been done, there was not a member in so loyal a house of commons, not even sir Richard Temple, who would not cheerfully have come forward to relieve the pecuniary wants of the sovereign. This ingenious explanation was favourably received, and a resolution voted, that the earl had not failed in his duty to the king, nor in respect to that house, nor in justice to sir Richard Temple.
- July 1. Temple, for he was certainly innocent; nor to contradict his sovereign, for his majesty's testimony was beyond exception: but he might be allowed to say that his language to the king must have been very different from his thoughts. What he had meant to suggest to him was, that the concession of benefits to the people should precede the demand of money by the sovereign; and that, if this had been done, there was not a member in so loyal a house of commons, not even sir Richard Temple, who would not cheerfully have come forward to relieve the pecuniary wants of the sovereign. This ingenious explanation was favourably received, and a resolution voted, that the earl had not failed in his duty to the king, nor in respect to that house, nor in justice to sir Richard Temple.

- Thus far Bristol had triumphed; and Charles felt his defeat most poignantly. In the interview between them, in the presence of lord Arlington, the king expressed his resentment in terms of vituperation, and the earl, forgetting the respect due to the monarch, openly reproached him with his amours, his indolence, and his extravagance; charged him with sacrificing his best friends to the malice of the chancellor, and declared that unless justice were done to him within twenty-four hours, he would do that which should astonish both the king and
- 9.

his minister. It was with difficulty that Bristol escaped from the personal resentment of Charles. The next day he proceeded to execute his threat; and rising in the house of lords, impeached Clarendon of high treason, and July of divers heinous misdemeanors. But this pompous de- 10. nouncement, when he descended into particulars, dwindled into the ridiculous charge that the chancellor had laboured, both by his public conduct and private discourse, to create a belief that the king was in heart a papist, and that on himself, his vigilance, and authority, depended the preservation of the protestant establishment. The judges, being consulted, replied that none of the charges, 13 if they could be proved, would amount to the guilt of high treason. The lords adopted the opinion of the judges: and the king issuing a warrant for the apprehension of the accuser, put an end to the impeachment. Aug. Bristol absconded: and did not appear at court till the 9. fall of his adversary*.

In the summer, the cause of intolerance acquired additional strength from a partial rising of enthusiasts in the northern counties. The government had been apprised of their intentions; the duke of Buckingham, in quality of the king's lieutenant, proceeded with a detachment of guards to York, and summoned the militia; and about fifty persons were arrested in Yorkshire and Oct. Westmoreland, of whom several paid the forfeit of their folly with their lives. From their situation in life it was plain that they acted under the secret guidance of others. Some professed the doctrines of the fifth-monarchy men; others justified themselves on the plea that the parliament had sitten more than three years, and that by the triennial act, passed in the 16th of Charles I., in default of writs issued by the king, the freeholders were per- 1664. mitted to assemble of themselves for the choice of new Mar. members. When Charles opened the next session, he 16.

* See Clarendon, 208. Pepys, ii. 70. 90. 95. Life of James i. 427. Parl. Hist. ii. 269 283. Lords' Journals, xi. 55. 59, 60. State Trials, 312. 8 C. Journals, 1663, June 13. 20. 26, July 1.

embraced the opportunity to suggest the repeal of an act which thus furnished a plea for seditious meetings, while the patrons of intolerance drew from the insurrection a new argument in favour of additional severities for the suppression of religious dissent. A compromise

April 5. seems to have taken place. It was, indeed, enacted that parliament should never be discontinued for more than three years: but, to satisfy the king, all the compulsory clauses of the triennial act, which directed the keeper of the great seal to issue writs, and the sheriffs to hold elections, in defiance of the royal pleasure, were repealed; and, on the other hand, Charles reluctantly gave his consent to the conventicle act, which, it was hoped, would

May 17. extinguish every form of heterodox worship. All meetings of more than five individuals, besides those of the family, for any religious purpose not according to the Book of Common Prayer, were declared seditious and unlawful conventicles: and it was enacted that the punishment of attendance at such meeting by any person above sixteen years of age should be, for the first offence, a fine of five pounds, or imprisonment during three months; for the second, a fine of ten pounds, or imprisonment during six months; for the third, a fine of one hundred pounds, or transportation for seven years; and that if the conscience of the offender led him to transgress the law more than thrice, the fine at each repetition of the offence should be augmented by the additional sum of one hundred pounds*. This act, so intolerant in its principle, and so penal in its consequences, was imme-

* Miscel. Aul. 316, 19 30. L. Journ. 620. C. Journ. Ap. 28; May 12, 14 16. St. 16. Car. II, c. i. 4. Pepys, ii. 172. The conventicle act was limited as an experiment, to the duration of three years. Of the tricks sometimes employed in parliament at these periods the reader may form some notion from the following instances: on the last day of the preceding session a bill for the better observance of the sabbath was stolen off the table: and when the king came to give the royal assent, was not to be found. Of course it did not pass into an act. In like manner, on the last day of the present session, a proviso to the conventicle act respecting the quakers was also stolen: but the former accident had awakened the vigilance of the clerk, and he discovered the theft in time to provide another copy of the proviso, and to have it passed through both houses before the king's arrival. L. Journ. xi. 577, 619, 20.

diately enforced : it equally affected catholics and every denomination of dissenters ; but it was felt the most severely by the quakers, because, while others, when they met for the purpose of worship, sought to elude detection, these religionists, under the guidance, as they thought, of the Spirit of God, deemed it their duty to assemble openly, and to set at defiance the law of man. To describe the numerous and vexatious informations, prosecutions, fines and imprisonments which followed, would only fatigue the patience, and pain the feelings, of the reader. I may, however, observe that the world had seldom witnessed a more flagrant violation of a most solemn engagement. Toleration had been offered and was accepted ; the king had been restored, and the church re-established ; and now, that the price was paid, the benefit was withheld ; and, instead of the indulgence promised in the contract, was substituted a system of penalties and persecution. The blame, however, ought not to rest with the king. He did, as far as we can judge from outward appearances, his best to fulfil his word. But the benevolent intentions of the monarch were opposed by the most powerful of his ministers ; and the bigotry of these ministers was sanctioned by the prejudices and resentments of the parliament.

Charles had now reigned four years, respected and courted by his neighbours : in an evil hour he was persuaded, against his better judgment, to unsheathe the sword, and to encounter the uncertain chances of war. He had formed a correct notion of the importance of commerce to the interests of his kingdom, and was encouraged and seconded by his brother James, in his attempts to improve and extend the foreign trade of the English merchants. With this view, the African company had been established by charter ; the duke accepted the office of governor ; and the committee of management, of which he was chairman, constantly met in his apartments at Whitehall. The company flourished ; they imported gold dust from the coast of Guinea, and

supplied, at a great profit, the West India planters with slaves: but they met with formidable rivals in the Dutch traders, who, during the civil war, had erected several forts along the coast of Africa, and now employed their superior power and influence to thwart the efforts, and arrest the progress, of the English intruders. The African company complained; their complaints were echoed by the East India company, whose commerce was exposed to similar impediments and injuries; and the merchants in the city called aloud for war, to protect their interests, and curb the insolence of the Hollanders. James advocated their cause with his brother. Such, he maintained, was the commercial rivalry between the two nations, that in the course of a few years war would inevitably ensue. But then it would be too late. Now was the proper time, before the race of naval commanders, formed under the commonwealth, should become extinct. But Charles (and he was supported by Clarendon) rejected the advice. He had learned wisdom from the history of his father and his grandfather. They had been driven into war by the clamour of the nation; and the charges of war, in a short time, rendered them dependent on the will of the popular leaders in parliament*.

There was at this time a marked contrast between the characters of the royal brothers. Charles, though oppressed with debt, scattered his money heedlessly and profusely; James was careful to measure his expenses by the amount of his income. The king seemed to make gallantry the chief occupation of life; the duke to look upon it as an amusement; and, while the one daily spent his time, "sauntering" in the company of his mistresses, the other attended to his duties in the admiralty with the exactitude of the meanest clerk on the establishment. In point of abilities, Charles was considered superior: but he wanted strength of mind to refuse an importunate suitor, or to resist the railery and

* Clarendon, 196—201. Pepys, ii. 173.

sarcasm of those whom he made his companions. James, with a judgment less correct, and with knowledge less extensive, formed his resolutions with slowness, but adhered to them with obstinacy. His word was esteemed sacred; his friends relied with confidence on his support, whatever sacrifice it might cost him; and his enemies knew that, till he had brought them on their knees, he would never forgive their offences. Yet no diversity of temper or opinion could diminish the affection of the two brothers. James was the most dutiful of subjects; and, however he might disapprove the judgment, he always concurred in seconding the will, of the sovereign. He was easy of access, and affable in discourse; but his constant attention to preserve the dignity of his rank gave to his manner a stateliness and distance repulsive of that freedom and familiarity which the laughter-loving king indulged in the associates of his pleasures. In private life the duke was loved by few, but feared or respected by all: in public, his industry was the theme of commendation; and the fame which he had acquired in the French army was taken as an earnest of his future military prowess*.

On the last meeting of parliament, the complaints of Mar. the merchants were heard before a committee of the 21. lower house. They contended that the treaty concluded by the Dutch with Cromwell, and since renewed by 1662. them with the king, was not yet executed; that the Sept. injuries sustained by the English traders had not been 4. redressed, nor the island of Poleron restored; that English ships were still seized and condemned under frivolous pretences; that the natives of Africa and the Indies were frequently induced by promises and bribes to demolish the English factories; that the Dutch, by proclaiming fictitious wars, and establishing pretended blockades, assumed the right of excluding their rivals from the most frequented ports, and the most valuable

* Sheffield, duke of Buckingham, ii. 78. Mem. de Grammont, i. 141. Burnet, i. 287. Pepys, ii. 143. 188.

sources of profit, and that the losses of the English merchants amounted, on a moderate calculation, to the enormous sum of seven or eight thousand pounds*. The committee decided in favour of the complainants; Clifford, the chairman, supported their cause with considerable warmth, and Downing added the weight of his authority, derived from the office which he held as English resident at the Hague, both for the protector and the king†. He was a bold, rapacious, and unprincipled man, who under Cromwell had extorted by menaces considerable sums, in the form of presents, from the Dutch merchants, and who now, by the violence of his speeches in parliament, and afterwards by the haughtiness of his carriage to the States, provoked a suspicion that he looked forward to a similar termination of the 1664. existing quarrel. The commons voted an address, in April
 21. which they petitioned the king to take an effectual course for the speedy redress of these injuries, with a promise to stand by him, with their lives and fortunes, against all opposition; the lords concurred; and Charles
 29. replied, that he would demand justice by his ambassador, and, in case of denial, would rely on the offer which they had made to him. Still, to dispassionate observers it appeared that, with a little conciliation on either part, the quarrel might be amicably adjusted. But Charles no longer listened to the suggestions of prudence, when he found that by acceding to the popular wish, he might gratify his personal resentments against the Louvestein faction, which had long ruled the destinies of the republic. That faction had heaped indignities on him during his exile, had stripped the house of Orange, of which his nephew was the head, of its ancient dignities, and what was perhaps a more unpardonable offence, had suffered caricatures to be published in ridicule of his apathy, his amours, and his indigence‡. On the other

* L. Journ xi 599. 620. 626.

† He was accustomed to leave the Hague occasionally to attend his duty in parliament. Clarendon, 224.

‡ Pepys, ii. 125.

hand, De Witt, who was acknowledged as the Louvestein leader, felt no disposition to make any concession to the menaces of a rival nation. He was resolved to maintain the commercial superiority of his countrymen; he considered the Dutch navy as a match for that of England, and, by a defensive alliance, he had already secured the assistance of France. By some it was thought that the obstinacy of the States had been supported by the intrigues of Louis. But the contrary was the fact; for it suited not the interests of that prince to provoke or foment a quarrel, which must involve him in a war with England, at a time when he meditated hostilities against Spain*.

In the mean while the African company had despatched sir Robert Holmes, with a few small ships of war, to recover the castle of Cape Corse, of which they had been dispossessed by their rivals. In searching a Dutch vessel, he discovered certain documents respecting Valkenberg, the Dutch governor, and the hostile tenor of these papers induced him to exceed his own commission, and to assume offensive operations†. He compelled the forts on Goree to surrender, reduced the castle of Cape Corse, destroyed several factories on the coast, and then stretched across the Atlantic to the settlement of New Amsterdam, originally an English colony, and lately recovered by sir Richard Nicholas, who, in honour of the duke, his patron, had given to it the name of New York‡. On the first intelligence of these proceedings, the Dutch ambassador presented an energetic remonstrance to the king, who replied, that the expedition had been sent out by the private authority

* L. Journ. 600. 3. Com. Journ. App. 21. 29. Temple, i. 305. 7. Louis' ii. 5. Le Clerc, ii. 62. Basnage, 711.

† The king of Fantine had been supplied with money and ammunition to induce him to attack the English fort at Cormantine. The Dutch denied the charge, but Charles replied, "that he has as full evidence of it, as he can have that there is such a fort." L. Journ. xi. 627.

‡ Charles granted this tract of land to his brother, 12th March, 1664. Sir Richard Nicholas was groom of the bed chamber to the duke of York. Life of James, i. 400. Doherty, ii. App. 27. By mistake he has printed the letter with the date of 1669.

of the company, that Holmes should be put on his trial at his return, and that strict justice should be measured out to all the parties concerned*. With this assurance the States general were satisfied; but De Witt refused to sit down tamely under the affront. By his intrigues with the states of Holland, he procured an order, loosely and ambiguously worded, to pass through the States-general, and this, with a secret explanation, was forwarded to De Ruyter, the commander of the Dutch squadron in the Mediterranean. He had been sent there to cruise against the Turkish corsairs, in company with Lawson, the English admiral: but now, pretending that he had orders to destroy a squadron of pirates at the Canaries, he separated from his allies, retaliated on the English, along the coast of Guinea, the injuries which they had inflicted on his countrymen, and, crossing to the West India islands, captured above twenty sail of English merchantmen. Lawson, through want of instructions, did not follow De Ruyter, but he was careful to inform the duke of York of his probable destination; and, by order of that prince two English fleets swept the narrow seas of the Dutch traders, which, to the number of one hundred and thirty sail, were carefully guarded in the English ports, as a fund of indemnification to the sufferers from the expedition under De Ruyter.

July
31

Sept.
25.
Oct.
11

Charles, however, before he would rush blindly into the contest, determined to secure a provision of money adequate to the undertaking. The charge of the war was calculated at two millions and a half, a sum unprecedented in the annals of English finance: but the passions of the people were roused, and the council had the

* Holmes, on his return was committed to the Tower, but cleared himself to the satisfaction of the king. Heath, Contin 532. Pepys ii 238.

† *Life of James*, i 493. Clarendon, 2.3 227. Le Clerc, ii 65 67. Burnage, 714. His majesty's Narrative in *Lords' Journ* xi 625. The complaint of Charles in this narrative is confirmed by d'Estrades, who attributes the war to the expedition of Ruyter in obedience to the order of De Witt, "s'us attendit se on la disposition du 14. nich de 1662, que le terme d'un (in) fut pris, pendant lequel le Roi de la Grande Bretagne devoit faire repuer l'entreprise du chevalier Holmes." D'Estrades, iv. 315. "Initia anni spatium." Dumout, vi par ii p 424.

art to remove from themselves the odium of the demand. By their secret persuasion, sir Richard Paston, a country gentleman of independent fortune, brought forward Nov. the proposition in the house of commons; and, when to 25. carry on the deception, a known dependent of the ministers rose to suggest a smaller sum, he was eagerly interrupted by two members, supposed to have no connexion with the court. The artifice escaped notice, and the original motion was carried, after an animated debate, by a majority of seventy voices. The lords as- Feb. 1665. sented, and the king issued a declaration of war *. 22.

The provisions of this money-bill deserves the reader's attention, because they put an end to the ancient system of taxation, and effected a considerable change in the acknowledged immunities of the clergy. 1°. He is aware that, from the commencement of the contest between Charles I. and his parliament, down to the restoration of his son, the manner of raising supplies by grants of subsidies, tenths, and fifteenths, had been abandoned, for the more certain and less cumbrous expedient of levying monthly assessments on the several counties. The ministers of Charles were not ignorant of the superior merit of the new plan; but, as it was originally a revolutionary measure and had excited the complaints of the people, they had deemed it prudent, in a former session, to revert to the old monarchical model. The experiment, however, failed; the four last subsidies had not raised more than one half of the sum at which they were calculated; the house consented that the new grant should be levied by twelve quarterly assessments on the counties †; and from that period the ancient subsidies fell into desuetude. 2°. Hitherto the clergy had preserved the honourable privilege of taxing themselves, and had usually granted in convocation the same

* Com. Journ. Nov. 25—Feb. 3. Lords' Journ. xi. 654. Clarendon's statement cannot be reconciled with the journals. See Clar. 228—231. Pepys tells us that, in framing the estimates, the Admiralty studied to make the charges of the last year as high as possible, ii. 228.

† Car. ii. c. i.

number of clerical subsidies as was voted of lay subsidies by the two houses of parliament. But this distinction could not conveniently be maintained, when money was to be raised by county rates; and it was therefore agreed that the right of the clergy should be waived in the present instance, but, at the same time, be preserved for them by a proviso in the act. The proviso, however, was illusory, and the right has never since been exercised. In return, the clergy claimed, what could not in justice be denied, the privilege of voting as freeholders at elections: a privilege which, though never expressly granted, has since been recognised by different statutes*. But a consequence followed from this arrangement, which probably was not foreseen. From the moment that the convocation ceased to vote money, it became of little service to the crown. It was no longer suffered to deliberate, to frame ecclesiastical canons, or to investigate the conduct, or regulate the concerns, of the church. It was, indeed, summoned, and the members met as usual, but merely as a matter of form; for a royal mandate immediately arrived, and an adjournment, prorogation, or dissolution followed. That, however, which seems the most extraordinary is, that this change in the constitution, by which one of the three estates ceased, in fact, to exist, and a new class of freeholders, unknown to the law, was created, owes its origin, not to any legislative enactment, but to a merely verbal agreement between the lord chancellor and archbishop Sheldon†.

From parliament, the lord high admiral hastened to the Gun-fleet to superintend the naval preparations: Charles, by his commands, and occasionally by his presence, seconded the industry of his brother‡; and, be-

* 10th Anne, c. 23. 18th George II. c. 18.

† See Echard, 818. Burnet, i. 340, note; iv. 508, note.

‡ Charles paid much attention to naval affairs. He studied the art of ship-building, and persuaded himself that he could make improvements in it. In a letter to prince Rupert, he says, "I believe that if you trie the "two sloopes that were builte at Woolidge, which have my invention in "them, they will outsail any of the French sloopes." Lansdowne. MSS. MCCVI. p. 162.

fore the end of April, the most formidable fleet that England had ever witnessed, was ready to contend for the empire of the sea. The duke, despising the narrow prejudices of party, had called around him the seamen who fought and conquered in the last war; and when the duke of Buckingham and other noblemen, whose only recommendation was their birth and quality, solicited commissions, he laconically replied, that they might serve as volunteers; but experience alone could qualify them to command. The future operations were arranged with his council, and, at his suggestion, an improvement was adopted, that something of that order should be introduced into naval, which was observed in military engagements. It was agreed that the fleet should be divided into three squadrons; the red under the command of the duke, the white under that of prince Rupert, and the blue under the earl of Sandwich; that it should be formed in line preparatory to battle; and that the several captains should be enjoined to keep the stations allotted to them by their respective commanders*. James unfurled his flag on board the Royal Charles; April ninety-eight sail of the line and four fire ships followed 21. him to sea†; and for more than a month this formidable armament insulted the coast of Holland, and rode triumphant in the German ocean.

At length an easterly wind drove the English to their own shores, and the Dutch fleet immediately put to sea. It sailed in seven divisions, comprising one hundred and thirteen ships of war, under the command in chief of Opdam, an officer, who in the late war had deserved the confidence of his countrymen. It exhibited a gallant and animating spectacle: the bravest and the noblest

* "This was the first war wherein fighting in a line, and a regular form of battle, was observed." Life of James, i. 405. This system introduced by the duke was invariably followed till Clerk's "Essay on Naval Tactics" induced Lord Rodney to break through the enemy's line in his victory of the 12th of April, 1782.

† Three were first rates, eleven second, fifteen third, thirty-two fourth, eleven fifth, and twenty-six merchant-ships carrying from forty to fifty guns. Life of James, 405. Macpherson's Papers, i. 31.

youths of Holland repaired on board to share the dangers of the expedition; and, as the admiral had received a positive order to fight, every heart beat high with the hope or assurance of victory. Opdam himself was an exception. His experienced eye discovered, in the insufficiency of many among his captains, and the constitution of their crews, reason to doubt the result of a battle; and to his confidants he observed—"I know what prudence would suggest; but I must obey my orders, and by this time to-morrow you shall see me crowned with laurel or with cypress*."

- June Early in the morning of the third of June the hostile
3. fleets descried each other near Lowestoffe. Seven hours were spent in attempts on each side to gain and keep the advantage of the wind; at length the English, by a skilful manœuvre, tacked in the same direction with the enemy, and accompanied them in a parallel line, till the signal was made for each ship to bear down and engage its opponent. The sea was calm: not a cloud could be seen in the sky; and a gentle breeze blew from the south-west. The two nations fought with their characteristic obstinacy; and, during four hours, the issue hung in suspense. On one occasion the duke was in the most imminent peril. All the ships of the red squadron, with the exception of two, had dropped out of the line to refit; and the weight of the enemy's fire was directed against his flag-ship, the *Royal Charles*. The earl of Falmouth, the lord Muskerrey, and Boyle, son to the earl of Burlington, who stood by his side were slain by the same shot; and James himself was covered with the blood of his slaughtered friends. Gradually, however, the disabled ships resumed their stations; the English obtained the superiority; and the fire of the enemy was observed to slacken. A short pause allowed the smoke to clear away; and the confusion, which the duke observed on board his opponent, the *Eendracht*, bearing Opdam's flag, induced him to order all his guns to be

* Basnage, i. 741.

discharged into her in succession, and with deliberate aim. At the third shot from the lower tier, she blew up, and the admiral, with five hundred men, perished in the explosion. Alarmed at the loss of their commander, the Dutch fled. James led the chase; the four sternmost sail of the enemy ran foul of each other, and were consumed by a fire-ship, and three others shortly afterwards experienced the same fate. But Van Tromp kept the fugitives together, whilst the darkness of the night retarded the pursuit of the conquerors; and in the morning the Dutch fleet was moored in safety within the shallows*. In this action, the most glorious hitherto fought by the navy of England, the enemy lost four admirals, seven thousand men slain, or made prisoners, and eighteen sail either burnt or taken. The loss of the victors was small in proportion. One ship of fifty guns had been taken in the beginning of the action; and the killed and wounded amounted to six hundred men. But among the slain, besides the noblemen already mentioned, were the earls of Marlborough and Portland, and two distinguished naval commanders, the admirals Lawson and Saumpton†.

At another time the report of such a victory would have been received with the most enthusiastic demonstrations of joy; but it came at a time when the spirits of men were depressed by one of the most calamitous visitations ever experienced by this or any other nation. In the depth of the last winter two or three isolated cases

* The result of the victory would have been more complete, had not the Royal Charles during the night slackened sail and brought to, which detained the rest of the fleet. For some time the fact was concealed from the duke, who had retired to rest: but it gradually became known, and, from an inquiry instituted by the house of commons, it appeared that Brunkhard, one of the duke's servants, who had been greatly alarmed during the battle, endeavoured at night to persuade the master to shorten sail, lest he should lead the ship into the midst of the enemy; and, failing in this, after a pause, delivered to him an order, or something like an order, to the same effect. Burnet insinuates that the order came from the duke (i. 377); that it was forged by Brunkhard appears from the inquiry before the house (*ibid.* 378, note), from Clarendon, 269, and from the *Life of James*, i. 415.

† There are numerous accounts of this battle: I have preferred that given in the *Life of James*, i. 407—415.

of plague had occurred in the outskirts of the metropolis. The fact excited alarm, and directed the attention of the public to the weekly variations in the bills of mortality. On the one hand, the cool temperature of the air, and the frequent changes in the weather, were hailed as favourable circumstances: on the other, it could not be concealed that the number of deaths, from whatever cause it arose, was progressively on the advance. In this state of suspense, alternately agitated by their hopes and fears, men looked to the result with the most intense anxiety; and, at length, about the end of May, under the influence of a warmer sun, and with the aid of a close and stagnant atmosphere, the evil burst forth in all its terrors. From the centre of St. Giles's the infection spread with rapidity over the adjacent parishes, threatened the court at Whitehall, and, in defiance of every precaution, stole its way into the city. A general panic ensued. The nobility and gentry were the first to flee; the royal family followed; and then all, who valued their personal safety more than the considerations of home and interest, prepared to imitate the example. For some weeks the tide of emigration flowed from every outlet towards the country; it was checked at last by the refusal of the lord mayor to grant certificates of health, and by the opposition of the neighbouring townships, which rose in their own defence, and formed a barrier round the devoted city*.

June
29.

The absence of the fugitives, and the consequent cessation of trade and the breaking up of establishments, served to aggravate the calamity. It was calculated that forty thousand servants had been left without a home, and the number of artisans and labourers thrown out of employment was still more considerable. It is true that the charity of the opulent seemed to keep pace with the progress of distress. The king subscribed the weekly

* Monk remained in town as the sole representative of government, and faithfully performed his duty during the pestilence, though he considered himself in greater danger than if he were in action with the Dutch fleet. Clarend. Life.

sum of 1000*l.*, the city of 600*l.*; the queen dowager, the archbishop of Canterbury, the earl of Craven, and the lord mayor, distinguished themselves by the amount of their benefactions; and the magistrates were careful to ensure a constant supply of provisions in the markets: yet the families that depended on casual relief for the means of subsistence were necessarily subjected to privations, which rendered them more liable to receive, and less able to subdue, the contagion. The mortality was at first confined chiefly to the lower classes, carrying off in a larger proportion the children than the adult, the females than the males. But, by the end of June, so rapid was the diffusion, so destructive were the ravages of the disease, that the civil authorities deemed it time to exercise the powers with which they had been invested July 1 by an act of James I. "for the charitable relief and "ordering of persons infected with the plague*." 1° They divided the parishes into districts, and allotted to each district a competent number of officers, under the denomination of examiners, searchers, nurses, and watchmen. 2°. They ordered that the existence of the disease, wherever it might penetrate, should be made known to the public by a red cross, one foot in length, painted on the door, with the words, "Lord have mercy "on us," placed above it. From that moment the house was closed; all egress for the space of one month was inexorably refused; and the wretched inmates were doomed to remain under the same roof, communicating death one to the other. Of these many sunk under the horrors of their situation: others, driven by despair, eluded the vigilance, or corrupted the fidelity of the watchmen, and by their escape, instead of avoiding, served to disseminate the contagion †. 3°. Provision was

* Stat of Realm, iv. 1660. In the next session of parliament a bill was introduced to extend these powers, but was lost through the refusal of the lords to allow their houses to be shut up at the discretion of the constables. L. Journ. xi. 698. Marvell, i. 52.

† Persons thus escaping, if taken in company with others, and found to have infectious sores upon them, were liable to suffer death as felons; if without sores, to be treated as rogues and vagabonds. Stat. *ibid.*

also made for the speedy interment of the dead. In the day time officers were always on the watch to withdraw from public view the bodies of those who expired in the streets: during the night the tinkling of a bell, accompanied with the glare of links, announced the approach of the pest-cart, making its round to receive the victims of the last twenty-four hours. No coffins were prepared; no funeral service was read; no mourners were permitted to follow the remains of their relatives or friends. The cart proceeded to the nearest cemetery, and shot its burden into the common grave, a deep and spacious pit, capable of holding some scores of bodies, and dug in the churchyard, or, when the churchyard was full, in the outskirts of the parish. Of the hardened and brutal conduct of the men to whom this duty was committed, men taken from the refuse of society, and lost to all sense of morality or decency, instances were related to which it would be difficult to find a parallel in the annals of human depravity*.

The disease generally manifested itself by the usual febrile symptoms of shivering, nausea, headache, and delirium. In some these affections were so mild as to be mistaken for a slight and transient indisposition. The victim saw not, or would not see, the insidious approach of his foe; he applied to his usual avocations, till a sudden faintness came on, the maculæ, the fatal "tokens," appeared on his breast, and within an hour life was extinct. But, in most cases, the pain and the delirium left no room for doubt. On the third or fourth day, buboes or carbuncles arose: if these could be made to suppurate, recovery might be anticipated; if they resisted the efforts of nature, and the skill of the phy-

* Rugge, MS. 573. Echard, 823. Hodges, *Loimologia*, 23. De Foe's *History of the Plague in London*. Though De Foe, for dramatic effect, wrote as an eye witness, which he could not be, yet his narrative, as to the substance of the facts, is confirmed by all the other authorities. Hodges and De Foe attribute also the deaths of many to the avarice of their nurses, who destroyed the lives, that they might carry off the money and trinkets of the patients.

sician, death was inevitable. The sufferings of the patients often threw them into paroxysms of pnuenzy. They burst the bands by which they were confined to their beds, they precipitated themselves from the windows, they ran naked into the street, and plunged into the river *

Men of the strongest minds were lost in amazement, when they contemplated this scene of woe and desolation: the weak and the credulous became the dupes of their own fears and imaginations. Tales the most improbable, and predictions the most terrific, were circulated, numbers assembled at different cemeteries to behold the ghosts of the dead walk round the pits in which their bodies had been deposited, and crowds believed that they saw in the heavens a sword of flame, stretching from Westminster to the Tower. To add to their terrors came the fanatics, who felt themselves inspired to act the part of prophets. One of these, in a state of nudity, walked through the city, bearing on his head a pan of burning coals and denouncing the judgments of God on its sinful inhabitants; another, assuming the character of Jonah, proclaimed aloud as he passed, "Yet forty days, and London shall be destroyed," and a third might be met, sometimes by day, sometimes by night, advancing with a hurried step, and exclaiming with a deep sepulchral voice, "Oh the great and dreadful God!"

During the months of July and August the weather was sultry, the heat more and more oppressive. The eastern parishes, which at first had been spared, became the chief seat of the pestilence; and the more substantial citizens, whom it had hitherto respected, suffered in common with their less opulent neighbours †. In many places the regulations of the magistrates could no longer

* Hodges 57 97—132

† The weekly returns of the dead for these months were, 1006 1268, 1761. 2785 3614 4030 5312 5568 7496 I take no notice of the distinction made by the bills between those who died of the plague, and those who died of other diseases, because I conceive no reliance can be placed on it.

be enforced. The nights did not suffice for the burial of the dead, who were now borne in coffins to their graves at all hours of the day ; and it was inhuman to shut up the dwellings of the infected poor, whose families must have perished through want, had they not been permitted to go and seek relief. London presented a wide and heart-rending scene of misery and desolation. Rows of houses stood tenantless and open to the winds ; others, in almost equal numbers, exhibited the red cross flaming on the doors. The chief thoroughfares, so lately trodden by the feet of thousands, were overgrown with grass. The few individuals who ventured abroad, walked in the middle, and, when they met, declined on opposite sides, to avoid the contact of each other. But, if the solitude and stillness of the streets impressed the mind with awe, there was something yet more appalling in the sounds, which occasionally burst upon the ear. At one moment were heard the ravings of delirium, or the wail of woe, from the infected dwelling ; at another, the merry song, or the loud and careless laugh issuing from the was-sailers at the tavern, or the inmates of the brothel. Men became so familiarised with the form, that they steeled their feelings against the terrors of death. They waited each for his turn with the resignation of the Christian, or the indifference of the stoic. Some devoted themselves to exercises of piety ; others sought relief in the riot of dissipation, and the recklessness of despair.

September came ; the heat of the atmosphere began to abate ; but, contrary to expectation, the mortality increased *. Formerly a hope of recovery might be indulged ; now infection was the certain harbinger of death, which followed, generally, in the course of three days, often within the space of twenty-four hours. The privy council ordered an experiment to be tried, which was grounded on the practice of former times. To dissipate the pestilential miasm, fires of sea-coal, in the

* The return for the week ending Sep. 5, was 8252.

proportion of one fire to every twelve houses, were kindled Sept. 5. in all the streets, courts, and alleys, of London and Westminster. They were kept burning three days and nights, and were at last extinguished by a heavy and continuous fall of rain. The next bill exhibited a considerable reduction in the amount of deaths; and the survivors congratulated each other on the cheering prospect*. But the cup was soon dashed from their lips; and in the following week more than ten thousand victims, a number hitherto unknown, sank under the augmented violence of the disease†. Yet, even now, when hope had yielded to despair, their deliverance was at hand. The high winds, which usually accompany the autumnal equinox, cooled and purified the air; the fever, though equally contagious, assumed a less malignant form, and its ravages were necessarily more confined from the diminution of the population, on which it had hitherto fed. The weekly burials successively decreased from thousands to hundreds, and, in the beginning of December, seventy-three parishes were pronounced clear of the disease‡. The intelligence was hailed with joy by the emigrants, who returned in crowds to take possession of their homes, and to resume their usual occupations: in February the court was once more fixed at Whitehall, and the nobility and gentry followed the footsteps of the sovereign. Though more than one hundred thousand individuals are said to have perished, yet in a short time, the chasm in the population was no longer discernible. The plague continued, indeed, to linger in particular spots§, but its

Dec.
12.1666.
Feb.
1.

* The return fell to 7690.

† The number returned was 8297, but it was generally acknowledged that the bills were very incorrect, and seldom gave more than two-thirds of the real number.

‡ The decrease was as follows, 6460. 5720. 5068. 1806. 1388. 1787. 1359. 905. 544.

§ There was not a week in the year in which some cases of plague were not returned. For all these particulars, see Hodges, *Loimologia*; Dr Foe; the newspapers of the year; Evelyn, *Diary*, ii. 245; Ellis, *Letters*, second series, iv. 35. Pepys, ii. 266 73. 6. 81. 86. 93. 7. 305. 9, 10. Somers' *Tracts*, viii. 436. Clarendon, with his usual inaccuracy, makes the

terrors were forgotten or despised; and the streets so recently abandoned by the inhabitants, were again thronged with multitudes in the eager pursuit of profit, or pleasure, or crime.

From the metropolis, the pestilence had extended its destructive sway over the greater part of the kingdom. The fugitives carried the infection with them wherever they found an asylum: and the mortality was generally proportionate to the density of the population*. Fortunately it confined its ravages to the land; the fleet continued healthy: and as soon as the ships damaged in the late engagement were repaired, the duke of York hastened to take the command; but his eagerness was checked by the prohibition of the king, who had been solicited by the queen-mother not to expose the life of the presumptive heir to the uncertain chances of battle. The earl of Sandwich succeeded him, and sailed to watch the hostile navy in the Texel. In the mean while two fleets of Dutch merchantmen, the one from the East Indies, the other from Smyrna, valued at twenty-five million of livres, steering round the north of Ireland and Scotland, had taken shelter in the neutral harbour of Bergen in Norway. The temptation was too powerful for the honesty of the king of Denmark; and, on condition that he should receive a moiety of the profits, he consented to connive at the capture of the Hollanders by the English fleet. Sandwich sailed immediately to Bergen, and Clifford, afterwards lord-treasurer, held an

July 22. 31. unsatisfactory conference with Alefeldt, the governor. That officer proposed that the English should wait till

number of dead, according to the weekly bills, to amount to 160,000, which, he says, ought, in the opinion of well-informed persons, to be doubled. (Clarendon, 326.) The number of burials, according to the bills, was only 97,306. (Table prefixed to *Loimologia*.) If we add one-third for omissions the amount will be about 130,000; but from these must be deducted the deaths from other causes than the plague. In the tables themselves the deaths from the plague in this year are 68,596; in 1665 they are 1996; in 1667 they fall to 35, to 14 in 1668, and after that seldom reach to half a dozen.

* In August of the following year it raged with violence in Colchester, Norwich, Winchester, Cambridge, and Salisbury. Ruge, MS.

he had received instructions from Copenhagen: but Sandwich refused; Tyddinnan entered the harbour with a powerful squadron; and the Dutch moored their ships across the bay, and raised a battery of forty-one guns on the shore. A sudden change in the direction of the wind compelled the English to cast anchor under the cannon of the castle; but Tyddiman, trusting to the neutrality of the governor, commenced the attack, and had already driven the enemy from most of their defences, when the garrison in revenge, it was alleged, for the damage done to the town, opened a destructive fire on the assailants. One ship was sunk: the others, cutting their cables, ran out to sea, and the enterprize was abandoned. With whom the blame of the failure ought to rest, Clarendon professes himself unable to determine: Sandwich complained loudly of the duplicity and bad faith of the king of Denmark; but sir Gilbert Talbot, the English ambassador, acquits the Danish authorities, and asserts that Sandwich refused to wait but one day for the arrival of instructions from Copenhagen, under the notion that, by acting without the permission of the Dane, he should exclude him from any right of participation in the expected booty*.

To the pensionary De Witt, the principal advocate of the war in Holland, to preserve the merchantmen in Bergen was an object of the first importance. Though a mere landsman, he took the command of the fleet, and, impatient of the obstruction caused by a contrary wind, sought and discovered a new passage out of the Texel. He sailed to Bergen, and the merchantmen placed themselves under his protection: but the fleet was dispersed by a storm, and Sandwich had the good fortune to capture eight men-of-war, two of the richest Indiamen, and about twenty other vessels. But avarice tempted him to take from the Indiamen a part of their cargo to

Aug.
3.

Sept.
4.

* Clarendon, 270. 277—281. Pepys, ii. 324. Miscel. Aul. 359. Echard, 821; sir Gilbert Talbot's Narrative among the Lansdowne MSS., 6859 p. 45, and his letters in Lister, iii. 389, et seq.

the value of 2,000*l.*, and the other flag-officers, with his permission, followed his example. The king, and the duke as lord high admiral, condemned his presumption : he acknowledged his offence before the council, and was in punishment deprived of the command ; but, to save his honour in the eyes of the public, he received the appointment of ambassador to the court of Spain*.

- Charles, on account of the pestilence in London, had summoned the parliament to meet in Oxford. His object was to obtain another supply of money. The expenses of the war, partly through the want of naval stores†, partly through the negligence and rapacity of the officers, had considerably exceeded the calculations of his ministers, and the whole of the last parliamentary grant was already mortgaged to the creditors of the public. With the king's request, that the two houses,
- Oct. 11. by their liberality, would complete their own work, they cheerfully complied ; and an additional grant of 1,250,000*l.*, with a present of 120,000*l.* to the duke of
 23. York, was voted without a murmur. The next object which claimed their attention, was the danger to be feared from the enemies of monarchy. Algernon Sydney, and many of the exiles, had hastened to Holland, and offered their services to the States. Whether the latter seriously meditated an invasion of England or Scotland, may be doubted : but they certainly gave naval and military commands to several of the refugees, and encouraged the formation of a council of English malcontents at the Hague. These corresponded with their friends in England ; the most sinister reports were put in circulation ; strangers, notwithstanding the mortality, were observed to resort to the capital ; and information was sent to Monk of secret meetings of conspirators, and of plots for the seizure of the Tower and the burn-

* *Lords' Journ.* xi. 687. *Clarendon*, 300—6. *Coke*, ii 38. *Miscel. Ant.* 361. *D'Estrades*, ii. 364. 9. *Pepys*, ii. 321. 347. 352. *Evelyn*, ii 249.

† To supply the naval arsenal, Charles, of his own authority, suspended the navigation act, and yet the parliament took no notice of it. *Coke*, ii. 140. He revoked the suspension, 27 Sept. 1667.

ing of the city. Rathbone, Tucker, and six of their Sept. associates had been apprehended, and paid the forfeit of ^{1.} their lives; but colonel Danvers, the leader, escaped from the grasp of the officers, and found an asylum in the country. Alarmed by this insignificant plot, the ^{3.} parliament attainted several of the conspirators by name, and, in addition, every natural-born subject who should remain in the service of the States after a fixed day *. These enactments, however, did not satisfy the more timid or more zealous. During the pestilence, many of the orthodox clergy in the metropolis persisted with the most laudable constancy in the discharge of their duties; many, yielding to their fears, had skulked away from the scene of danger, and sought security in the country. The presbyterian ministers who had recently been ejected, seized the opportunity to ascend the vacant pulpits amidst the loud cries of their congregations "What must we do to be saved?" The self-devotion of these men, who braved the perils of death that they might administer the consolations of religion to their afflicted brethren, is said to have provoked the jealousy of their rivals; and that jealousy, if it really existed, was speedily gratified by new penal enactments. That the law had been violated, no one could deny; but the violation had been committed in circumstances so extraordinary as to be more worthy of praise than censure. To add, therefore, to the legal offence, it was pretended that the ministers had employed the opportunity to disseminate from the pulpit principles of sedition and treason, representing the plague as a visitation from Providence,

* L. Jouin vi 688 692 St. of Realm, v 578. Parker, 78—77. Burnet, i. 393. Clarendon, 290 It has been often asserted that these plots, and the correspondence said to be carried on between the disaffected in England and the Dutch, were mere fictions. The following extracts from the letters of d'Estrades, the French minister at the Hague, to his sovereign, will perhaps prove the contrary. *Les états ont de grandes intelligences en Ecosse, et parmi les ministres de leur religion en Angleterre. Mémoires d'Estrades*, ii. 383. Oct. 3, 1665. *L'Ecosse fait entendre aux états que dès que votre majesté se déclarera, elle a un fort parti à mettre en campagne, et que les ministres de l'Angleterre de la même religion de ceux de ce pays mandent la même chose.* Id. 385.

Oct.
30. partly on account of their own expulsion from the churches, and partly on account of the immorality of the sovereign and his court; a charge in which it is probable that the indiscretion of one or two individuals was not only exaggerated, but unjustly extended to the whole body. However that may be, an act was passed, prohibiting every non-conforming minister to come, unless he were passing on the road, within five miles of any town sending members to parliament, or of any village in which he had ever lawfully or unlawfully exercised his ministry, under the penalty of a fine of 40*l.* for every such offence, and of six months' imprisonment, if he refused in addition to take the oath of non-resistance. For the better execution of this, the five-mile act, the bishops received from the orthodox clergy the names of all non-conforming ministers within their respective parishes; spies and informers were everywhere employed and encouraged; and the objects of suspicion were compelled to fix themselves and their families in obscure parts of the country, where they depended for support on their own labour and the casual charity of others. But the oath was still refused; and the sufferings of the victims served only to rivet their doctrines more firmly in the minds of their hearers*.

De Witt had long sought to strengthen himself and his party with the protection of the king of France; and Louis was not unwilling to purchase the services of a man, who governed the states of Holland, and through them was able to control the other provinces of the republic. To him De Witt had communicated several proposals for the partition of the Spanish Netherlands; and the king, though he nourished a more ambitious project in his own breast, to humour the Dutchman, consented to enter into a negotiation respecting the con-

* L. Journ. xi. 700. Stat. of Realm, v. 575. Wilkins, Con. iv. 583. Burnet, i. 392—3 The act did not mention non-conforming ministers, but included them under the description of persons who had enjoyed ecclesiastical promotion, or preached at unlawful conventicles.

ditions *. But, in 1665, Philip of Spain died, leaving Sept. the crown, and all the dominions dependent on it, to the 17. infant his son, under the regency of Mariann of Austria, the queen-mother. Louis now determined, as he had previously intended, to take possession of Flanders, under the pretence, that by the custom of several provinces in the Netherlands, called the right of devolution, those provinces belonged to his wife, Maria Teresa, the daughter of Philip by his first marriage. It was, indeed, true that Louis by contract, and his young queen by a separate instrument, had solemnly renounced all claim to the succession to the Spanish monarchy in general, and to Flanders, Burgundy, and Charolais in particular † : but it was contended that the king had been released from the obligation of the contract by the non-payment of the marriage portion on the part of Spain, and that Maria Teresa had never been bound by the renunciation, because it was made during her minority. It chanced, however, that the Dutch, in virtue of the defensive alliance concluded between them and France in 1662, now called upon Louis to join as their ally in the war against Charles; and it seemed impolitic to provoke hostilities at the same moment with two such powers as England and Spain. It was, indeed, easy to elude the demand, by replying that a defensive treaty did not bind, when the party claiming aid had provoked the war; but, on the other hand, it was argued that Louis, by cheerfully uniting with the States, would render them less hostile to his intended occupation of Flanders; and that, under the pretext of preventing the descents of the English, he might covertly make pre-

* All the letters of d'Estrades, from his arrival in Holland till 1664, show how firmly this unfortunate statesman had devoted himself to the interests of France.

† Dumont vi. part i. 283. 8. By the law of devolution, which prevailed in several provinces of the Netherlands, the right of inheritance was given to the children of the first marriage, even females, to the exclusion of the issue by the second. Maria Teresa, the consort of Louis, was the daughter of Philip of Spain by his first wife: Charles, the inheritor of the monarchy was his son by the second.

parations, and assemble troops on the nearest parts of the coast *. Louis followed this counsel: his ambassador informed Charles that unless peace were speedily concluded, his master would feel himself bound to take part against him in the war; and the English king had the spirit to defy the power, rather than submit to the dictation, of a foreign prince.

1666. In January the French monarch, though with many
 Jan. expressions of regret, declared war; but, at the reclama-
 16. tion of the English ambassador, granted three months
 to British subjects to withdraw with their effects from
 his territories †. The approach of a French force soon
 compelled Von Ghalen, bishop of Munster, who, as the
 ally of Charles, had made a formidable inroad into the
 April province of Overijssel, to submit to a disadvantageous
 8. peace; and the French agent at Copenhagen prevailed
 Feb. on the king of Denmark to withdraw from his alliance
 1. with England, and to make common cause with the
 8. States. Charles, on his side, concluded a treaty with
 the king of Sweden, by which each party engaged not
 to furnish munitions of war to the enemies of the other;
 but failed in an attempt to create an opposition to De
 Witt in Holland, through the intrigues of De Buat, a
 Oct. partisan of the house of Orange, who soon afterwards
 3. forfeited his life as a traitor to the republic ‡.

These negotiations occupied the first months of the new year; in May, prince Rupert and the duke of Albemarle assumed the joint command of the English fleet, and insulted with impunity the coast of Holland. There was however but little cordiality between the two admirals. The pride of Rupert could hardly brook an equal in rank and authority; but the people remembered

* Dumont, vi. part ii. p. 412. Œuvres de Louis XIV., ii. 5—11. 25. 130.
 † Dumont, part iii. 82. Clar. 292 8. Miscel. Anl. 373. Mémoires de Estrades, iii. 54 64 Charles, on his part, offered freedom from molestation in person or property to all natives of France, or the United Provinces, residing in, or coming into his dominions, "especially to those of the reformed religion, whose interest should particularly be owned by him." Ralph. i. 159.

‡ Clarendon, 327. 9 333—G Dumont, vi. par. iii. 59. 83. 106.

the former victories of Monk over the Dutch, and Charles gratified the general wish by associating that nobleman with the prince in the chief command. They had returned to the Downs, when advice was received that the Dutch navy was not in a state to put to sea for several weeks, and that a French squadron, under the duke of Beaufort, had reached Belleisle from the Mediterranean. Unfortunately neither report was true. De Ruyter, accompanied by De Witt, had already left the Texel: the duke of Beaufort had not passed the Straits of Gibraltar. Rupert, however, received an order from court to hasten ^{May} with twenty sail in search of the French, while Albe- ^{29.}marle, with fifty-four, directed his course to the Gun- ^{31.}fleet. The next morning the duke, to his surprise, ^{June} descried the Dutch force of more than eighty men of ^{1.}war lying at anchor off the North Foreland. He had so often spoken with contempt of the enemy, had so severely criticized the caution of the earl of Sandwich, that to retire without fighting would have exposed him to the censure and derision of the public. A council of war was instantly summoned; the majority, in opposition to their own judgment, acquiesced in the rash, but decided opinion of their commander, and the signal was made to bear down without delay on the enemy. No line was formed, no order observed; the blue squadron which led the van, fought its way through the hostile fleet; but most of the ships of which it consisted were captured, or destroyed, or disabled. Darkness separated the combatants, and the action re-commenced with the return of light. But, if Monk on the preceding day had fought ² for victory, he was now reduced to fight for safety. A reinforcement of sixteen sail added to the hopes and the courage of the enemy: nor was it without the most heroic exertions that the English were able to protract the unequal contest till night. Monk having burnt a part of his disabled ships, and ordered the others to make for the nearest harbour, opposed in the morning sixteen, that remained, as a rear-guard to the pursuit of De

- June Ruyter. But, in the hurry of their flight, they ran on
3. the Galloper Sand, where the Prince Royal, the boast of the English navy, was lost, and where the rest would probably have shared its fate, had not Rupert, with his squadron of twenty sail, at last arrived to their relief. He had received orders to return from St. Helen's on the first day of the battle; nor was it ever explained why he did not join Albemarle till the evening of the third. The force of the hostile fleets was now more nearly bal-
 4. lanced: they renewed the engagement on the following morning; and having passed each other five times in line, separated under the cover of a mist*. Such was the result of this succession of obstinate and sanguinary engagements. That the Dutch had a just claim to the victory cannot be doubted; though, if we consider the fearful disparity of force, we must own that no disgrace could attach to the English. "They may be killed," exclaimed De Witt, "but they will not be conquered." At home, the conduct of Monk was severely and deservedly censured; but no one could convince him that he had acted imprudently in provoking the battle, or that he had not inflicted more injury than he received†.

25. Both fleets stood in need of repairs: both, by extraordinary efforts, were in a short time again at sea. They met; the victory was fiercely and obstinately disputed; but the better fortune, or more desperate valour, of the English prevailed. Few prizes were, however, made. With rash, but successful daring, De Ruyter repeatedly turned on the pursuers, and kept them at bay, till the fugitives found a secure asylum in the Weirings. Rupert and Monk rode for weeks triumphant along the coast, interrupting the commerce, and insulting the pride

* Com. Journals, 1667, Oct. 31. Clarendon, 343, 4. Coke, 144. Heath, 550. Le Clerc, ii. 139. Basnage, i. 773. Pepys, ii. 398—402. 410, 1, 2, 5. 424, 434, 5.

† Pepys, ii. 422. Com. Journ. Oct. 31. According to Evelyn, the English lost ten ships, one thousand seven hundred men killed and wounded, and two thousand taken (ii. 238.): the Dutch acknowledged the loss of two admirals, seven captains, and one thousand eight hundred men. Le Clerc, ii. 142.

of their enemies. At the suggestion of a native, Holmes, Aug. 8. with a squadron of boats and fire-ships, was ordered to enter the channel between Ulie and Schelling, the usual rendezvous of vessels trading to the Baltic: in a short time two men of war, and one hundred and fifty merchantmen with their cargoes, were in flames, and the next day the neighbouring town of Brandaris, consisting 10. of one thousand houses, was reduced to ashes. At the sight of the conflagration De Witt maddened with rage, and swore by the almighty God that he would never sheath the sword till he had obtained his revenge; an oath which he religiously observed*.

Louis was not unwilling that the two great maritime powers should exhaust themselves in this tremendous struggle. To his allies he had promised the co-operation of his fleet, but that promise was yet to be fulfilled; and instead of risking the French navy in battle against the English, he sought to occupy the attention of Charles by exciting rebellion in his dominions. With this view he employed agents to intrigue with the Catholics of Ireland, who had lost their lands by the late act of settlement; and encouraged the hopes of the English exiles, who persuaded themselves that their party was still powerful in England. Algernon Sydney hastened to Paris: to the French ministers he maintained that the interest of France demanded the establishment of a republic in England; and to the French king he presented a memorial soliciting the gift of 100,000 crowns to enable his party to commence operations against the English government. But Louis paused before he would part with so large a sum of money. In conclusion he offered Sydney 20,000 crowns in the first instance, with a promise of additional aid, if the rising should take place†.

About the middle of August, however, the duke of

* Clarendon, 345. Pepys, ii. 444. Miscel. Aut. 411, 2. *Memoires de Estrades*, iii. 346. 361.

† Louis XIV., ii. 203, and note *ibid.* Miscel. Aut. 433.

- Beaufort, contrary to the general expectation, arrived at
Aug. 13. La Rochelle from the Mediterranean, and a plan was arranged between the two powers for the junction of their respective fleets in the British Channel. The Dutch, for this purpose, had already passed the Strait of Dover, when they descried the English under prince Rupert. As De Ruyter, though on board, was confined by severe indisposition, the men betrayed a disinclination to fight without the presence and orders of their favourite commander; and the fleet ran close into the shore in St. John's Road, near Boulogne. Rupert dared not follow: he turned to oppose Beaufort, as he came up the Channel; but the violence of the wind compelled him to seek shelter at
Sept. 3. St. Helen's, and the French squadron had the good fortune to arrive in safety at Dieppe. Louis, alarmed at the proximity of his fleet to the superior force of the English, by repeated messages insisted that the Dutch should proceed to give it protection. But their ships had suffered severely from the weather; the admiral was still unable to take the command; and instead of joining their allies, they embraced the first opportunity of returning to their own ports. Beaufort, however, extricated himself from the danger, and stole his way down the Channel with no other loss than that of the *Ruby*, of fifty-four guns*.

* Clarendon, 347. Heath, 553. Macei. Aul. 418. Louis XIV., r. 219. 221—226. Temple, i 477.

CHAPTER VI.

Great Fire of London—Proceedings in Parliament—Insurrection in Scotland—Secret Treaty with Louis—Dutch Fleet in the Thames—Peace of Breda—Fall of Clarendon—Triple alliance—Secret negotiation with France—Conversion of the duke of York—Intigues to alter the succession—Divorce of lord Roos—Visit of the duchess of Orleans—Secret treaty with France—Death of the duchess—Second secret treaty—Miscellaneous events.

THE storm which had driven the English fleet into St. Helen's was productive of the most disastrous consequences by land. About two in the morning of Sunday, ^{2.} the 2d of September, a fire burst out in Pudding-lane, near Fish street, one of the most crowded quarters of the metropolis. It originated in a bake-house; the buildings in the neighbourhood, formed of wood, with pitched roofs, quickly caught the flames; and the stores with which they were filled, consisting of those combustible articles used in the equipment of shipping, nourished the conflagration. To add to the mischief, the pipes from the New River were found empty*, and the engine which raised water from the Thames was reduced to ashes. The lord mayor arrived on the first alarm; but his timidity and inexperience shrunk from the adoption of decisive measures: he refused for several hours to admit the aid of the military; and to those

* On the authority of an old woman, the countess of Clarendon, and of a divine, Dr Lloyd, whose brain had been affected by the study of the apocalypse, Burnet gravely tells a story of one Grant, a papist, a partner in the works at Islington, having on the preceding Saturday turned the cocks, and carried away the keys (Hist. i 401.) But the fire happened on the 2d of September, and Higgon's (Remarks, 219) proves from the books of the company, that Grant had no share in the works before the 25th of that month.

who advised the demolition of a range of houses, replied that he must previously obtain the consent of their respective owners*.

During the day the wind, which blew from the east, hourly augmented in violence; and the fire spread with astonishing velocity, leaping from roof to roof, and frequently igniting houses at a distance, and in apparent security. The following night ("if night," says an eyewitness, "that could be called, which was as light as day "for ten miles round") presented a most magnificent, but appalling spectacle. A vast column of fire, a mile in diameter, was seen ascending to the clouds; the flames, as they rose, were bent and broken, and shivered by the fury of the wind; and every blast scattered through the air innumerable flakes of fire, which falling on inflammable substances kindled new conflagrations. The lurid glare of the sky, the oppressive heat of the atmosphere, the crackling of the flames, and the falling of the houses and churches, combined to fill every breast with astonishment and terror.

Instead, however, of adverting to the natural causes of the calamity, causes too obvious to escape an observant eye, the public credulity listened to stories of malice and treachery. It was said and believed, that men had been apprehended carrying with them parcels of an unknown substance, which on compression produced heat and flame; that others had been seen throwing fire-balls into houses as they passed along the street; that the foreign enemy had combined with the republicans and papists to burn the city; and that the French residents in the capital, to the number of twenty thousand, had taken up arms, and were massacring every native who came in the way. These reports augmented the general terror and confusion. All were mingled together, men

* The duke of York says, that the expedient of blowing up houses with gunpowder was suggested by an old woman (Macpher. Pap. i. 36.); Evelyn, by a party of sailors; but "some tenacious and avaritious men, "aldermen, &c., would not permit it, because their houses must have been "the first." ii. 266.

labouring to extinguish the flames, citizens conveying away their families and goods, crowds flying from the imaginary massacre, others in arms hastening to oppose the murderers, and mobs surrounding and ill-treating every stranger, foreigner, and reputed papist, who ventured into the streets.

Charles never appeared so deeply affected as at the sight of the conflagration. Breaking from his pleasures and his mistresses, he displayed an energy of mind and body of which his most intimate friends thought him no longer capable. Wherever the danger appeared the greatest, the king was to be found with his brother, mixing among the workmen, animating them by his example, and with his own hand rewarding their exertions*. He divided the city into districts, and gave the command of each district to one of the privy council. He ordered biscuits and other necessities to be brought from the royal stores for the relief of the families in the fields, and sent out strong patrols of his guards to prevent robbery, and to conduct to prison all persons suspected and arrested by the populaco, as the most likely means of preserving their lives.

While the storm continued, the conflagration bade defiance to all the exertions of human ingenuity or power. In many places houses had been blown up or demolished: but the ignited flakes were carried over the empty space, or the ruins again took fire, or the flames unexpectedly turned in a new direction. On the evening of ~~Wednesday~~ the violence of the wind began to abate; ^{Sept. 5.} the duke of York saved the church of the Temple by the destruction of the neighbouring buildings; and the next morning a similar precaution was adopted by the ^{6.} king to preserve Westminster abbey and the palace of Whitehall. About five in the evening the weather became calm; and every heart beat with the hope that this

* "It is not indeed imaginable how extraordinary the vigilance and activity of the king and the duke was, even labouring in person, and being present to command, order, reward, or encourage workmen." Evelyn, *l.* 268. *Life of James*, i. 424.

dreadful visitation was approaching to its close. But in the night new alarms were excited. The fire burst out again in the Temple; it was still seen to rage with unabated fury near Cripplegate, and a large body of flame made rapid advance towards the Tower. The duke and the other noblemen were immediately at their posts.

Sept. 7 With the aid of gunpowder large openings were made; Charles attended at the demolition of the houses on the graff near the magazine in the Tower; and the conflagration, being thus prohibited from extending its ravages, gradually died away, though months elapsed before the immense accumulation of ruins ceased to present appearances of internal heat and combustion*.

By this deplorable accident two-thirds of the metropolis, the whole space from the Tower to the Temple, had been reduced to ashes. The number of houses consumed amounted to thirteen thousand two hundred, of churches, including St. Paul's, to eighty-nine, covering three hundred and seventy-three acres within, and sixty-three without the walls. In the fields about Islington and Highgate were seen lying on the bare ground, or under huts hastily erected, two hundred thousand individuals, many in a state of utter destitution, and the others watching the small remnant of their property which they had snatched from the flames. Charles was indefatigable in his exertions to afford relief, and to procure them lodgings in the nearest towns and villages†.

Whoever considers the place in which the fire began, the violence of the wind, and the materials of which the houses were built, will not be at a loss to account for the origin and the extent of the conflagration. But it was an age in which political and religious prejudices had perverted the judgments of men. Some considered it as an evident visitation of Providence in punishment of

* London Gazette, No. 85. Clarend. 348—352 Evelyn, ii. 263—7. Philips, 652. Burnet, i. 491, 2; and Pepys, Diary, iii. 16—35.

† St. Trials, vi. 807. Evelyn, ii. 271.

sin; but of what sin? Of the immorality of the king and the courtiers, replied the more rigid religionists; of the late rebellion, recriminated the cavaliers*. Others attributed it to the disloyalty and revenge, either of the republicans, who sought to destroy the seat of the monarchy, or of the papists, who wished to punish the strong hold of orthodoxy. But of these charges, though the individuals suspected were examined before the council and the lord chief justice, though the house of commons ordered a strict inquiry to be instituted, though every species of conjectural and hearsay evidence was admitted, yet no vestige of proof could ever be discovered. The report of the committee still exists, a complete refutation of the calumny†. Subsequently, however, on the Monument erected to perpetuate this calamitous event, it was, and long stood, recorded, that "the burning of this protestant city was begun and carried on by the treachery and malice of the popish faction, in order to the effecting their horrid plot for the extirpating the protestant religion and English liberties, and to introduce popery and heresy." Next to the guilt of him who perpetrates an atrocious crime, is the guilt of those who charge it on the innocent‡.

* Two remarkable coincidences have been noticed. At the trials of certain conspirators in the preceding April, it appeared that they had formed a plot to set fire to London on the 3d of September of the current year, that they might avail themselves of the confusion to overturn the government (*London Gazette*, Apr. 23—26); and it was about two in the morning of Sept. 2d that the fire made its appearance. Again, in 1636, a treatise was advertised, purporting to show from the Apocalypse, that in the year 1666 the Romish Babylon would be destroyed by fire. (*Merc. Pol. in Burton's Diary*, i. cxlvii.) Now this great fire actually happened in 1666, the year foretold, though it destroyed not the Romish, but the English, Babylon.

† The examinations are printed in *Howell's State Trials*, vi. 807—866. One Hubert, a French protestant, who formerly worked as a silversmith in the city, gave himself up as the incendiary, was examined before the committee (see his examination, p. 824), and, persisting in his story, was condemned and executed. The man was clearly insane. "Neither the judges, nor any present at the trial, did believe him guilty; but that he was a poor distracted wretch, weary of his life, and chose to part with it this way." *Clarendon*, 353. See also *Higgon's on Burnet*, 215.

‡ The Monument was begun in 1671, and finished in 1677: the inscription was written by Dr. Thomas Gale, afterwards dean of York. *Pennant's London*, 347. Since, however, the first publication of this work,

Sept. 11. In the same month, when the parliament assembled, it became manifest that the popularity of the king was on the wane in the lower house. The late disaster had thrown a gloom over the public mind; and the murmurs of the people were echoed in the speeches of their representatives. The duke of Buckingham sought the company of the discontented; by tales of the royal extravagance and immorality, he sharpened their indignation and won their confidence; and, in a short time, a formidable party was arrayed against the advocates of the court. No man, indeed, could be more immoral than Buckingham himself; but Charles, to gratify the anger of Castlemaine had banished him from court, and resentment made him a saint and a patriot. The commons began, indeed, by voting a supply of 1,800,000*l.*; yet, while they held out the money as a lure to the king, they required several concessions before they would deliver it into his hands. 1°. According to ancient custom, they displayed their zeal against the catholics. The attempt to fasten on them the charge of having fired the capital unfortunately failed; but a committee was appointed "to inquire into the insolence of the papists" and the increase of popery;" and, though the information which they procured consisted of tales so childish and improbable, that they dared not pronounce an opinion*, yet it served as the foundation of an address to the king; and Charles, in accordance with their petition, commanded, by proclamation, all priests and jesuits to quit the kingdom, gave directions to the judges and magistrates to execute the laws against recusants, to disarm all papists, and to administer the oaths of allegiance and supremacy to all persons suspected of popery, and ordered the commanders of regiments to dismiss from the army every officer and soldier who

the passage mentioned in the text, with the following line in the Latin inscription: "*Sed furor papisticus, qui tam dira patravit, nondum restingitur*"—was erased, by order of the city, on the 6th Dec. 1830

* It is published in the State Trials, vi. 851—6.

should refuse the oaths, or had not received the sacrament.

2°. In 1663 complaint had been made in parliament that the agricultural interest of England was sacrificed to that of Ireland; that the annual importation of Irish cattle, amounting to more than sixty thousand beeves, and a proportionate number of sheep, depressed the prices in the English market; and that the English farmers were no longer able to pay their rents to their landlords, or their taxes to the king. The result was an act prohibiting, under severe penalties, the importation of cattle from the Irish to the English ports. There now remained but one resource for the Irish farmer, the introduction of the dead carcase in place of the live animal; and to meet this a bill was brought in during the session at Oxford, to extend the prohibition to salt beef, bacon, and pork. It was lost by the hasty prorogation of parliament, but revived in the present session. Never, for many years, had any question excited such agitation in the public mind, or such animosities in the two houses. On the one part, it was contended that the parliament was bound in duty to protect the agricultural interest, which comprised not only the farmers and their servants, but all the landlords in the kingdom: on the other, that the people had a right to purchase their food at the cheapest market; that it was unjust to protect one interest at the expense of another; and that, if the Irish were not allowed to export their cattle, they would not be able to import the manufactures of England. The bill, after much contestation, was sent to the lords, and returned by them with amendments, to which the commons objected. The opponents of the measure hoped, by fomenting the dissension, to suppress the bill: but the king was so anxious not to lose by delay the supply which had been voted, and so alarmed by the tumultuous meetings of the agriculturists in the country, that he commanded the duke of York and his friends in the house of lords to desist from their opposi-

tion. They withdrew before the division, and the bill was suffered to pass into a law*.

3°. Reports were circulated that the supplies previously voted for the war had been diverted from their original destination; and a bill was carried through the commons, appointing commissioners to audit the public accounts. Charles, at the earnest solicitation of sir George Carteret, treasurer of the navy, and of Cooper, lord Ashley, the treasurer of the prize money, openly declared that he would never yield his consent. It was a direct invasion of the royal prerogative; it would prevent men from taking office, if, instead of the regular method of auditing accounts, they were to be interrogated at will by the commons, and subjected to the arbitrary judgment of that house; and, which was the most cogent argument of all, it would reveal to the public the many and valuable grants which the king had made of the national money to his favourites and mistresses. But to oppose it openly might provoke and confirm suspicion: when the bill came to the upper house, the lords voted an address to the king to appoint a commission of inquiry; the commons resolved that such an address, pending the bill, was unparliamentary, and the two houses found themselves involved in an endless controversy respecting their rights and privileges. Charles, however, was now assailed from a different quarter. His opponents threatened to impeach the countess of Castlemaine; and his anxiety to screen her from prosecution induced him to employ his influence in favour of the bill. The lords passed it with a
16 7.
Jan. 24.

* *Miscel. Aut.* 432 6, 7, 9, 436. *Coke*, 151—144. *Clarendon*, 371—383. *Carte*, ii. 317—322, 329—334. In the course of these debates, Buckingham said that whoever opposed the bill must have an Irish interest in his heart, or an Irish intellect in his head. Lord Ossory challenged him; but he chose to mistake the place of meeting, and to give an account of the whole proceeding to the house. Both were put under custody, and afterwards reconciled. Next he quarrelled with lord Dorchester, respecting a seat in a conference with the commons. The marquess in the scuffle lost his periwig, the duke a handful of hair. The two champions were sent to the Tower, and afterwards reconciled. *L. Journ.* xii. 19, 19. 52. *Clarendon*, 376—9. *Miscel. Aut.* 423—6.

few trifling amendments; and then its supporters, as if their only object had been to excite the distrust of the nation, instead of proceeding with a measure which they had so warmly pursued, suffered the bill to lie without notice on the table. The means of raising the supply by a pole tax, and by eleven monthly assessments, were voted, and the king having obtained his end, prorogued the parliament *. Feb. 8.

During this session, the council was seriously alarmed by the news of an insurrection in Scotland, an insurrection attributed at first to foreign intrigue, but provoked in reality by religious persecution. The eastern and northern counties had apparently acquiesced in the restoration of episcopacy; but in the west and south a strong spirit of resistance had been manifested. Most of the ministers were ejected, and their places supplied by clergymen, whose youth and habits were not calculated to render them acceptable to the people. When they took possession of their cures, they were generally received with contumely, sometimes with volleys of stones from crowds of women and children; and when they ascended the pulpit, their churches were deserted by the majority of the parishioners. These followed their former pastor to the barn and the moor; the circumstances under which they met kindled the enthusiasm both of the preacher and his hearers; and they separated with a firm determination to adhere to the national covenant, and to oppose to the death the "anti-christian" institution of bishops. The parliament made laws to put down conventicles, and enforce attendance at

* L. Journ. xii. 34. 47. 52. 72. 88. C. Journal, Jan 24; Feb. 7. Clarendon, 368. 374. Charles, however, in the April following, did appoint a commission of lords and commons, "for taking accounts of the several sums of money which had been raised and assigned to his majesty's use during the war, and of all such money and profits as had been made of prizes taken since the beginning of the war, with power to call to account all treasurers, receivers, &c., and all such authority as might serve for the effectual and impartial execution of the said commission." They sat, continued the inquiry for many months, and made reports to the house of commons. There was, however, no important result.

the parish church; the high commission court endeavoured to subdue the most refractory by arbitrary and disproportionate punishments; and, as a last resource, a body of soldiers, under sir James Turner, was sent into the west to levy fines, and secure obedience to the law. Without attaching entire credit to the exaggerated tales of the sufferers *, we may presume that these military missionaries did not discharge their duties in a manner to please or conciliate the natives; numerous frays occurred between them and the religionists on whom they were quartered; one of the soldiers was shot at Dalry in 1666. Galloway; the offenders secured his companions for their own safety; their number quickly increased to two hundred men; they surprised and made prisoner sir James Turner himself; and, astonished at their success, began to deliberate respecting their future proceedings. They never exceeded eleven hundred men; but, on the ground that "God was able to save by few as well as by many," they chose officers, renewed the covenant, and resolved to march towards Edinburgh. The night, which was cold and dark, they spent at Bathgate: in the morning, relying on the aid of their friends within the city, they continued to advance; but the gates were shut; and the royal army under Dalziel followed their footsteps. They retreated from Collingtown to Rullion-green, near the Pentland Hills, where their commander, colonel Wallace, faced the enemy. Of the ministers who accompanied them, Crookshank and Maccormick, natives of Ireland, took their station among the cavalry to fight the battle of the Lord: Welch and Semple, natives of Scotland, ascended a neighbouring eminence to pray. The former fell in the first charge; the latter, as soon as they saw the loss of the battle, saved their lives by flight. About fifty of the insurgents were left dead on the field, and one hundred and thirty were made pri-

* Turner himself says, "Here I shall take leave once for all to write one undoubted truth, which is, that I was so faire from exceeding or transgressing my commission and instructions, that I never came the full length of them." *Memoirs*, 144.

so cis. It was a time when, perhaps, some effect might have been produced by the lenity of a government but the prelates deemed it more prudent to intimidate by severity. Twenty were executed in the capital and Dec. about the same number in Glasgow, Ayr and Dumfries. All refused the oath and died professing their 7
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-2
adhesion to the covenant. The king ordered a rigorous inquiry to be made into the origin of the insurrection and the chief of the prisoners were tortured in the "boots." All that they had received promises from their brethren in Holland could not be doubted but no disclosure of the secret was drawn from them by torture, Charles became satisfied that persecution had goaded them to resistance and an order was issued that the wingle (the name by which the covenanters were now designated) should be treated with less severity.*

The suppression of this tumult relieved the king from one source of disquietude there remained another, which he knew not how to remove—the poverty of the exchequer. To prepare the fleet for sea required an immediate supply of money and the grant made by the parliament, though liberal in the amount, offered but a distant resource. In the form a century the royal wants had been promptly accommodated by the bankers a few opulent individuals, members of the company of goldsmiths and idle men in the city. These it was customary to introduce into the royal presence they were acquainted with the amount of the intended loan, each subscribed for such portion as he chose to take, and received in return the assignment of some branch of the public revenue, entitling him to its produce till the capital, with the interest at eight per cent, should

* Kuiton 23—25; Wolrow 247—256. App. 8C 79. Burnet 451. Fairs Men 149—18. 'The people who were in contemptible things became in faith to all it was a much nest interest in Britain who were called whigs after their ven at the court of England so strangely doth Providence improve man's mistakes for the furthering of the Lord's purpose.' Kirkton, 250.

be entirely discharged *. But this expedient was now impracticable, on account of the embarrassments, caused by the plague and the fire, in mercantile and pecuniary transactions. The bankers had suffered considerable losses; money had grown scarce; the destruction of merchandize had diminished the receipt of the customs and excise; and the inability of the treasury to fulfil its engagements had impaired the royal credit. In an evil hour, sir William Coventry proposed to lay up the larger ships in ordinary, and to equip only two squadrons of light frigates, one to harass the enemy's trade in the Channel, and the other that in the German Ocean. The duke of York objected with considerable force, that such an expedient was in truth an abandonment of the sovereignty of the sea, and an invitation to the Dutch to insult the English coast, and plunder the maritime counties. But the difficulty of procuring money, and the expectation of a speedy peace, weighed with the rest of the council; and Charles consented to a measure which subsequently gave him keener regret, and brought on him more lasting disgrace, than, perhaps, any other act of his government.

The king of France, who had completed his preparations for the invasion of Flanders in the spring, was become anxious to free himself from the incumbrance of the war with England. Through Ruvigni, first cousin to lady Russell, and agent of the French protestants at his court, he persuaded the earl of St. Alban's, who, it was rumoured, had privately married the queen-

* Clarendon, 393—6. 314. 5. Life of James, i. 425. Macpherson, Pap. i. 367. The bankers were accustomed to charge eight per cent. on loans, and to give six per cent. on deposits. The manner of payment may be understood from the following order in council, published in March of this year: "That all persons who had lent money for his Majesty's service in the present war, upon the credit of the late act for 125,000*l.*, "whose orders were of the numbers of 99, 100, and so forwards to 126, "should take notice that there remained money for them in bank at the "receipt of his Majesty's exchequer, ready to pay both their principal "and interest, and should therefore cause their respective orders and tallies to be brought into the exchequer, and give their acquittances, that "they might receive their loans and interests according to the said act."

mother, to proceed to London and sound the disposition of Charles. The English king earnestly wished to try again his fortune by sea; but the difficulty of fitting out the fleet subdued his repugnance to a treaty, and he consented to send commissioners to Breda, on condition 1666. that an armistice should accompany the negotiation *. Dec. 11. Louis met with greater difficulty on the part of the States, who, aware that his intended conquest of Flanders must prove injurious to their interests, sought to divert him from his purpose by continuing the war, from which he had recently pledged himself not to withdraw without their consent. But the monarch, irritated by their objections and delays, discovered an expedient by which he disappointed their hopes. Without the knowledge of the ministers at either court, he opened a secret negotiation with Charles. Each prince addressed his letters to the queen Henrietta Maria, Louis as to his aunt, Charles as to his mother; and that princess forwarded them to their destination, under covers as from herself. Neither had any real cause of hostility against the other, and the only difficulty arose from a desire in the English king to recover the isles in the West Indies, which had been taken by the French, and on the part of Louis to obtain a pledge that England should not oppose his designs against Spain. At length they compromised these pretensions, and it was agreed that each should abstain from hostilities against the other; that France should restore her conquests in the West Indies; that England, during the space of one year, should afford no assistance to Spain; and that so much of this treaty as was fit to meet the eye of the public should be afterwards inserted in a public treaty. Both kings solemnly pledged April 14. themselves to the observance of the articles in a paper under their respective signatures, which for greater privacy and security was deposited with Henrietta Maria as their common relation and friend †.

* Clarendon, 419

† For the knowledge of this singular transaction, the first of the secret

While the secret treaty proceeded, the French ambassador reiterated his demands at the Hague, and four out of the seven provinces, eager for peace, resolved to withdraw their contributions towards the expenses of the war. De Witt with his party was compelled to yield; Breda was named for the place of the congress, and in May the month of May the ambassadors of the several powers assembled. But the pensionary still thirsted for revenge: he knew that the Dutch fleet was ready to sail, and that England had no fleet to oppose; and he determined not to throw away the opportunity which fortune had placed in his hands. When the armistice was proposed, the Dutch immediately refused their consent, on the ground that it would occupy as much time to discuss its conditions as those of the peace itself; and while the English argued, and the French remonstrated, De Ruyter, accompanied by the brother of De Witt, ordered the fleet to the amount of seventy sail, to join him in separate squadrons at the buoy off the Nore.

The English government was not taken by surprise. The warnings of the duke of York had awakened them to a sense of the danger: and three months before, Feb. orders had been issued to raise a fort at Sheerness, 27. to throw a boom across the Medway at the stakes, to mount the guns on the batteries, and to prepare a competent number of fireships. But it was not easy to carry these orders into execution. The commissioners of the navy already owed more than 900,000*l*. Their credit was gone: the sailors refused to serve, the labourers to work, the merchants to sell, without immediate payment; and to procure ready money, either by application to the treasury, or by loan from the bankers, was impossible*. De Ruyter, that he might distract the attention of the council, ordered one division of his fleet to sail up the Thames as far as Gravesend, and the other to destroy,

treaties between Louis and Charles, we are indebted to Louis himself, in his Œuvres, ii. 256. 286. 8, 9; v. 399. 405.

* See Pepys, iii. 156. 162. 9. 174.

which was his chief object, the shipping in the Medway. The fort at Sheerness opposed but a feeble resistance. Though Charles, to hasten the completion of the works, had visited them twice during the winter, they were still in an unfinished state, and a few broadsides levelled them with ground. At the first alarm, Monk, by the June royal order, hastened to the mouth of the Medway. He 9. erected batteries, moored guard-ships for the protection of the boom, and sunk five ships before it in the narrowest part of the channel. He had not completed these preparations, when the Dutch advanced with the wind 11. and tide in their favour; but the obstruction in the passage opposed an insuperable bar to their progress, and they were compelled to fall back with the ebb. During the night, however, they discovered a new channel, sufficiently deep for large ships at high water, and in the 12. morning worked their way without impediment in this direction. The men of war immediately pointed their guns against the batteries: and a heavy fireship, running against the boom, hung upon it. A second followed in like manner; the chain broke under their united weight; and, in a short time, the guardships were in a blaze. The hull of the Royal Charles, a first-rate, which through neglect of orders had not been removed, became the prize of the conquerors.

Monk, disappointed but not disheartened, hastened back to Upnor Castle. The night was employed in mounting guns and collecting ammunition: in the morning the 13. batteries were manned with volunteers from the navy; and the return of the tide exhibited a sight most galling to the pride of every Englishmen,—the Dutch fleet advancing triumphantly up the river. Two men of war led the line; then came six enormous fire-ships; after them followed the rest of the squadron. The men-of-war anchored to receive and return the fire of the batteries; and the fire-ships, passing behind them, pursued their course, reducing to ashes the three first-rates, the Royal James, the Oak, and the London. At the ebb, their

commander, Van Ghent, whether he had fully executed his orders, or was intimidated by the warm reception which he experienced, made the signal to the fleet to fall down the river, and, having burnt two of his own vessels which had grounded, rejoined in safety the other division at the Nore*.

To the English, if we consider the force of the enemy and the defenceless state of the river, the loss was much less than they had reason to expect; but the disgrace sunk deep into the heart of the king, and the hearts of his subjects. That England, so lately the mistress of the ocean, should be unable to meet her enemies at sea, and that the Dutch, whom she had so often defeated, should ride triumphant in her rivers, burn her ships, and scatter dismay through the capital and the country, were universally subjects of grief and indignation. Many attributed it to that eternal source of every calamity, the imaginary machinations of the papists†; others were taught to believe that the king had secretly leagued with the enemy for the purpose of depressing the nation, that he might the more easily establish a despotic government; and numbers contrasted the disastrous result of the present war against the Dutch under a king, with the glorious result of the former war under a protector. But their reasoning was evidently unjust. Whatever might be the faults of Charles, he had conducted the war with equal spirit, and till this moment with more signal success. Even the disgrace at Chatham, originating from a measure which had been forced upon him by pecuniary distress, had not in reality diminished the power nor impaired the resources of the country.

For six weeks De Ruyter continued to sweep the English coast. But his attempts to burn the ships at Portsmouth, Plymouth, and Torbay were successively defeated; and, though he twice threatened to remount the

* C. Journals, Oct. 31. Pepys, iii. 247, 241, 2. 5 50; v. 17 Evelyn, ii. 287, 8. 291.

† Pepys, iii. 245. 252.

Thames, the spirited opposition with which he was received by a squadron of eighteen sail, under sir Edward Spragge, induced him to renounce the design. In the mean time the Dutch negotiators, who had purposely protracted the conferences at Breda, began to be alarmed at the rapid progress of the French army in Flanders; for Louis, soon after his secret treaty with ^{May} Charles, passed the frontiers with an army of seventy 11. thousand men, nominally commanded by himself, but really under the guidance of Turenne. Castel-Rodrigo, the Spanish governor, dismantled several fortresses; Binche, Tournay, Oudenarde, Courtrai, and Douai opened their gates; and Louis was actually occupied in the siege of Lisle, when the states hastened to withdraw their objections to the proposals of England, that they might have leisure to secure themselves against the ambition of their powerful ally*. Three treaties were signed by the English commissioners on the same day. ^{July} 21. By one with Holland it was stipulated that both parties should forget past injuries, and remain in their present condition, which confirmed to the States the possession of the disputed island of Pulo-Rone, and to the English their conquests of Albany and New York. By the second with France, Louis obtained the restoration of Nova Scotia, and Charles that of Antigua, Monserrat, and part of St Kitts; and by the last with Denmark, which country had acceded to the war as the ally of the Dutch, the relations of amity were re-established between the two crowns†.

* The success of Louis produced a benefit to England, which was unexpected: it induced "one Brewer, with about fifty Walloons, who wrought "and dyed fine woollen cloths," to migrate to this kingdom. "The king "entertained them against our barbarous law, or rather usage, against "foreigners partaking the benefit of natural-born English; and by them "the English, in a few years, were instructed to make and dye fine "woollen cloths cheaper by forty per cent. than they could do before." Coke, ii. 161.

† See them in Dumont, vii. par. i. 40—57. *Mém. d'Estrades*, iv. 395—428. Temple, i. 481.—On the departure of the Dutch fleet from the river, the king resolved to assemble the parliament; Clarendon objected that it could not be done lawfully before the 10th of Oct., the day to which parliament had been prorogued. The only remedy was the dissolution of the

There was nothing in the conditions of peace to mortify the pride or to prejudice the interests of the nation ; yet the calamities which had accompanied the war, the plague, the fire, and the disgrace at Chatham, though over the two first no human counsels could have had any control, had soured the temper of the people ; and Charles, anxious to divert attention from his own misconduct, was not unwilling to sacrifice a victim to the public discontent. Ever since the restoration, Clarendon had exercised the power, though without the name, of prime minister ; and to his pernicious counsels it was become the fashion to attribute every national calamity. It must be confessed that, with a correct judgment and brilliant talents, he had contrived, whether it arose from the infirmity of his nature, or the necessity of his situation, to make himself enemies among every class of men. The courtiers had been alienated from him by the haughtiness of his manner, and his perpetual opposition to their suits, their projects, and their extravagance ; the friends of liberty, by his strenuous advocacy of every claim which he conceived to belong to the prerogative, and his marked antipathy to every doctrine which seemed to him to savour of republicanism ; and the catholics, the presbyterians, and the several classes of dissenters, by the belief that through his obstinate and successful opposition they had been deprived of the indulgence to tender consciences promised by the king in his declaration from Breda. He had offended the house of commons by reproaching them with conduct similar to that of the long parliament, and the house of lords by complaining that they suffered the commons to usurp the lead in public business, and were content with main-

present, and the calling of a new parliament. But this objection was overruled ; and the two houses, in obedience to the king's proclamation of June 26, met on July 25. But their services were no longer wanted ; the peace was already signed ; and Charles on the 29th prorogued the parliament to Oct. 10—a measure which excited many complaints on account of the expense and trouble to which the members had been unnecessarily subjected. See Clarendon, continuation, 421—5. 7. *L. Journ.* xii, 119—4.

taining their own privileges*. The king, indeed, had been accustomed to listen to him with respect, almost with awe. But these sentiments gradually wore away. The courtiers mimicked the gravity of Clarendon in the royal presence; they ridiculed his person and manner; they charged him with interested motives: and represented him as a morose pedagogue, claiming to retain the same control over the mind of the man, which he had once exercised over that of the boy. Charles laughed and reprovèd: but frequency of repetition insensibly produced effect: and feelings of suspicion and aversion were occasionally awakened in the royal breast. Nor did Clarendon himself fail to aid the efforts of his enemies. He often contradicted the favourite opinions of the king; sometimes carried measures against him in the house of lords: and, on more than one occasion, so far forgot himself at the council table, as to speak with a vehemence and authority which hurt the pride of the monarch. His opposition in the house of lords to the bill for indulgence to tender consciences was never forgotten; and recently, when the plan of putting the treasury in commission was debated during the parliament at Oxford, his conduct had given deep and lasting offence. He was at last taught to feel that, though he might still be consulted as formerly, he no longer enjoyed the royal friendship; and his political opponents, seeing the slippery ground on which he stood, laboured to precipitate his fall†.

The first attempt was made by the earl of Bristol in 1663. The reader is aware that it failed; and the failure served for a time to confirm the power of the chancellor. Still he grew more unpopular: men of opposite interests found their way into the council: his great friend and supporter, the earl of Southampton, died; and the countess of Castlemaine and the duke of

* Clarendon, 383—5.

† Clarendon, 245. 8. 321. 358. 361. Life of James, i. 398. 428. Pepys, iv. 268.

Buckingham leagued together to effect his overthrow. To the lady he had given mortal offence by forbidding his wife to visit her, a prohibition which he refused to withdraw even at the request of the king*. Buckingham, during the last session, had placed himself in opposition to the court, and declared open war against Charles and his mistress. But his intrigues with the disaffected had been betrayed by one of the agents; and, after the prorogation, the king deprived him of all the offices which he held under the crown, and sent him an order to surrender himself to the lieutenant of the Tower. He absconded, but fortunately the agent died, and the duke, having made his peace with Castlemaine, presented himself to the lieutenant, was examined before the council, discharged, permitted to kiss the king's hand, and restored to his former employments†. From that moment the doom of Clarendon was sealed. When the Dutch fleet rode victorious in the mouth of the river, he had advised the king to dissolve the parliament, and support the troops on the coast by forced contributions from the neighbouring counties, to be repaid out of the next supply. This counsel was divulged by some of his enemies, and represented as a plan to govern the kingdom with a standing army in the place of the parliament. The imputation was everywhere received with expressions of abhorrence, and provoked the additional charges of venality and ambition. The presents which he had been in the habit of receiving from all who sought his friendship or protection were held forth as proofs of his rapacity; that magnificent pile called Clarendon-house was said to be so far beyond the resources of his private fortune, that it must have been raised with the aid of money received from the enemies of his country; and the marriage of his daughter to the duke of York was attributed to his desire of becoming the father of a race of monarchs; a desire which had moreover led him to

* Clarendon, 361. Life of James, 28. Macpherson, 35. 7.

† Clarendon, 434. Pepys, iii. 276. 287, 8. 282. Carte, ii. 347. 9.

introduce to the royal bed a princess incapable of bearing children, that the crown might descend to the issue of the duchess*. The latter charge was not only circulated in public, but insinuated to Charles himself, together with the information, that the convention parliament would have settled a much more ample revenue on the crown, had not its liberality been checked by the jealousy or the presumption of Clarendon†. If the king appeared to listen to these suggestions, he still refused to believe that the chancellor had been unfaithful to his trust in any point of importance: but he was daily beset by Buckingham, Arlington, sir William Coventry, and lady Castlemaine, who represented to him the discontent of the nation, the power of the chancellor's enemies, and the probable consequences of an impeachment in parliament; and he at last informed that minister, through the duke of York, that he expected him to resign, as an expedient by which he might at the same time save himself from prosecution, and spare his sovereign the pain of taking his office from him.

But the pride of Clarendon scorned to bend to the storm; and consciousness of innocence urged him to brave the malice of his enemies. He waited on the king, and avowed his determination not to resign—it would amount to a confession of guilt; expressed a hope that the seal would not be taken from him—it would prove that his sovereign was dissatisfied with his services: and conjured him to disbelieve the suggestions of lady Castlemaine—for she was an angry and vindictive woman. After a conference of two hours, he retired, leaving the king disappointed by his obstinacy, and offended by his allusions to “the lady.” The duke of

* “How far this jealousy may have entered into the king himself, to make him more easily part with his minister, I leave it for others to guess.” *Life of James*, 393. *Burnet*, i. 435.

† “Some have thought, not improbably, that this remissness of his proceeded from a jealousy that the king was inwardly inclined to popery.” *Life of James*, 393. On the contrary, it is said by sir William Coventry, that it proceeded from an overweening opinion of his own influence, “that he could have the command of parliaments for ever.” *Pepys*, iv. 276.

- York pleaded strongly in behalf of his father-in-law. But he himself was no longer in favour; the influence of the brother yielded to that of the mistress; and the chancellor received a positive order by Morrice to surrender the great seal, which was delivered to sir Orlando
- Aug. 10. Bridgeman, chief justice of the common pleas *.
- Oct. 10. In six weeks the parliament assembled. Buckingham had previously been restored to his place in the council and the bed-chamber; and Bristol, issuing from his retirement, had appeared again at court. To an address of thanks from the two houses for the removal of the
15. chancellor, the king replied, by promising never more to employ him in any capacity whatsoever. It may be that by this promise he hoped to satisfy the enemies of Clarendon; but they argued that the fallen statesman might, on some future day, recover the favour of his sovereign, or be restored by his son-in-law, should that prince succeed to the throne: their personal safety demanded precautions against his subsequent revenge; and, to consummate his ruin, it was resolved to proceed
- Nov. 6. against him by impeachment. Seventeen charges were fabricated in a committee of the lower house, imputing to him venality and cruelty in the discharge of his office of chancellor, the acquisition by unlawful means of enormous wealth, the sale of Dunkirk to France, the disclosure of the king's secrets to his enemies, and the design of introducing a military government without the intervention of parliament. Nothing, however, could be more informal than the proceedings on this occasion. No papers were ordered, no witnesses were examined; the several charges were adopted on the credit of members, who engaged to produce proof whenever it might

* Clarendon, 422—5 7. 435—40. Life of James, 427—9. Macpherson, Pap. 138. Pepys, iii. 382 8. Pepys tells a laughable story of Castlemaine, who, when she heard about noon that Clarendon had left the king after their interview, leaped out of bed, and ran into the aviary, that she might observe his countenance as he passed, 334.—Bridgeman was unfortunate in his promotion. Afraid of deciding wrong, he laboured to please both sides, and always gave something to each of the contending parties in his court. He lost his reputation. North's Lives, &c. i. 179.

be deemed necessary; and the commons in a body impeached Clarendon at the bar of the house of lords of high treason, and other crimes and misdemeanors, requesting, at the same time, that he might be committed Nov. to custody, till they should exhibit articles against him*. 12.

It is probable, that from the absence of the duke of York, (he was confined to his chamber by the small-pox,) the enemies of Clarendon had promised themselves an easy victory. But the duke commissioned his friends to defend his father-in-law; the bishops felt themselves bound to support him as the patron of orthodoxy; and several peers, convinced of his innocence, cheerfully seconded their efforts. They did not, indeed, dare openly to advocate his cause, but they intrenched themselves behind forms and privileges; they contended that to commit on a general charge was contrary to ancient practice; that the first precedent in its favour was furnished by the impeachment of the earl of Strafford, a precedent which the house would not follow, because the attainder had been reversed, and the proceedings erased from the journals; and they maintained that the lords ought to be careful how they sanctioned a pretension, which might prove in future times prejudicial to them and their posterity. After several animated debates, it was 14. twice resolved by a small majority, that the accused 20. should not be committed, because no specific charge was contained in the impeachment†.

The commons resented this decision of the lords: conferences were repeatedly held, and each house pertinaciously adhered to its former opinion. The king's perplexity daily increased. He observed that the proceedings began to take the same course as in the impeachment of the earl of Strafford; and the calamities which

* C. Journals, Nov. 6. 8. 11. State Trials, vi. 330. Clarendon, 445—8 450. Life of James, i. 431. Pepys, iii. 410, 411 420.

† Clar. 450. L. Journ. 133—7. Pepys, iii. 415. Clarendon, in a letter to Ormond, says, "I must not omit to tell you that the duke of York hath been and is as gracious to me, and as much concerned for me, as is possible. I have not many other friends to brag of." Carte, ii. App. 38.

followed the condemnation of that nobleman stared him in the face. He proposed, as an expedient, that the earl should clandestinely leave the kingdom: but no argument, no entreaty, could prevail on Clarendon to take a step which he deemed derogatory from his character, and the monarch, irritated by his obstinacy, began to speak of him in terms of aversion. His enemies now ventured to make use of the royal name. It was rumoured that the king had also offences to punish; that Clarendon had presumed to thwart him in his amour with the beautiful Miss Stewart, and had persuaded her Nov. to marry the duke of Richmond. The earl, in a letter 16. which he sent by the lord keeper, denied this charge*; the king read it, burnt it deliberately in the flame of a candle, and coolly replied, that he was unable to understand its contents, but wondered what Clarendon was doing in England †.

This hint, however, was lost on the determined mind of the fallen minister. It was followed by an unavowed message delivered by the bishop of Hereford; the same advice was then urged by the French ambassador, and, when every other expedient had failed, the duke of York, by express command, carried to him a royal order to retire to the continent. He reluctantly obeyed; and, 29. having addressed a vindication of himself to the house of lords, secretly withdrew to France‡.

* In this letter he intimated an intention of going beyond the seas, but made it a condition that the king should first put a stop to the impeachment. Clarendon cont 454.

† Clarendon, 454—6. Life of James, i. 432. L. Journ. 154. "That Charles was offended with the marriage, is certain. Char. 453. If we may believe Stewart herself, she wished to marry to relieve herself from his importunities, and therefore accepted the offer of the duke of Richmond with the king's acquiescence. Pepys, iii. 203. But the report was that Charles thought of her for his own wife, that he consulted Sheldon, archbishop of Canterbury, on the means of procuring a divorce, that Sheldon revealed the secret to Clarendon, and that Clarendon, to secure the succession to his daughter's issue, brought about the marriage of Stewart with the duke of Richmond. Burnet, i. 436. Lord Dartmouth's Note, 438. Pepys, iii. 293. It makes against this story, that, when a divorce was suggested afterwards to Charles, he replied that his conscience would not permit it. Life of James, i. 439.

‡ It is certain that the duke took the order to Clarendon; yet lord Corn-

His departure put an end to the quarrel between the two houses *, but did not satisfy the resentment or the apprehension of his enemies. His vindication was voted a scandalous and seditious libel, and ordered to be burnt by the hands of the common hangman. In it he had stated, that he had withdrawn only for a time; and would return to prove his innocence, whenever he saw a likelihood of justice having its course, "uncontrolled" "by the power and malice of men who had sworn his "destruction." His enemies pounced on this passage, and, under pretence of holding him to his word, introduced a bill which, after a feeble opposition, was passed, ordering him to surrender for trial before the 1st of February, and, in default of appearance, banishing him for life, disabling him from holding office, subjecting him to the penalties of high treason, if he returned to England, and rendering him incapable of pardon unless by act of parliament†. Clarendon, the moment he heard of this enactment, hastened from Rouen to meet his accusers, but was detained at Calais by a dangerous illness, the consequence of fatigue of body, and anxiety of mind. Before he could leave his bed, the allotted term had expired, and he thus became, without the possibility of preventing it, an exile for life‡.

Notwithstanding this severity, it is certain that he fell a victim to the hostility of party. The charges against him were not supported by any lawful proof, and most, if not all, were satisfactorily refuted in his answer§. Yet he must not be considered an immaculate character. His dread of republicanism taught him to advocate every claim of the prerogative, however un-

bury says, that his father withdrew, because it was intended to dissolve the parliament, and try him by a jury of peers. Carte, ii. App. 39.

* The commons, however, entered two resolutions on their journals, that in such cases the accused ought to be secured, and that, when he is in custody, the lords may limit a time within which the particular charge may be specified. C. Journ. December 5.

† L. Journ. 154. 157. 162. 7. 9. St. of Realm, 628.

‡ Life of Clarendon 353, et seq.

§ Clarendon, 478.

reasonable, and his zeal for orthodoxy led him to persecute all who dissented from the establishment. He was haughty and overbearing; his writings betray in many instances the faithlessness of his memory, or his contempt for veracity; and his desire of amassing wealth provoked Evelyn to remark of him, that "the lord chancellor never did, nor would do, anything but for "money*." He spent most of his time at Montpellier and Moulins, relieving with literary composition the tedium of banishment, and soliciting repeatedly permission to revisit his native country, that he might breathe his last in the company of his children. But Charles, who felt no inclination to engage in a new contest for the sake of a man who had long ago forfeited his esteem, treated these prayers with neglect; and the unfortunate exile, whom hope had brought back to Rouen, in Normandy, died there in 1674 †.

1674.
Dec.
9.

By the exile of Clarendon, the ministry which had been established at the restoration, was entirely dissolved. The duke of Ormond resided in his government of Ireland, Southampton was dead, Albemarle incapacitated by age and infirmity, and Nicholas had resigned. The new cabinet, or, as it was called in the language of the time, "the king's cabal ‡," consisted of the duke of Buckingham, who held no ostensible office till he purchased that of master of the horse from Monk; of sir Henry Bennet, now lord Arlington, principal secretary of state; of the lord keeper Bridgeman; and of sir William Coventry, one of the commissioners of the treasury §.

* See Historical Inquiry respecting the character of Clarendon, by the Hon. George Agar Ellis, 1827.

† Supp. to Clar. Pap. iii. xliiv. v. Wood, Athen. Oxon. ii. 1024.

‡ Pepys, iv. 243. The word "cabal" at this period meant a secret council. See the Diaries of Pepys and Evelyn, and Whitelock (p. 477), as early as the year 1650. By d'Estrades the present ministers are called "la caballe d'Espagne." D'Estrades, v. 39. The whole council was divided into three committees: one for foreign affairs, the real cabal; another for military and naval affairs; a third for trade; and a fourth for the redress of grievances, Jan. 31.

§ Southampton, the lord treasurer, died May 16th, 1667, and June 1st the treasury was put into commission. The commissioners were, the

Of these, Coventry, by his superior information and abilities, excited the jealousy of his colleagues, but unfortunately possessed not the art of pleasing the king, who, from his habit of predicting evil, gave him the name of "the visionary." Buckingham and Arlington were bitter enemies at heart, though the necessity of their situation made them apparent friends. Bridgeman was consulted for convenience. Hitherto he had acquired no particular claim to the favour of the monarch, or the confidence of the people.

The rapid conquests of the French king in Flanders during the last summer, had drawn the eyes of Europe towards the seat of war in that country. The pope, Clement IX., through pity for the young king of Spain, and the States, alarmed at the approach of the French arms to their frontier, offered their mediation. To both Sept. Louis returned the same answer, that he sought nothing more than to vindicate the rights of his wife; that he should be content to retain possession of the conquests which he had already made, or to exchange them either for Luxembourg, or Franche-comté, with the addition of Aire, St. Omer, Douai, Cambrai, and Charleroi, to strengthen his northern frontier; and that he was willing to consent to an armistice for three months, that the Spanish government might have leisure to make its election between these alternatives. But Spain was not sufficiently humbled to submit to so flagrant an injustice; the time was sullenly suffered to pass by, and the mediators renewed their instances to obtain from Louis a prolongation of the armistice for the additional space of three months. He consented to abide by his former offer during that term; but refusing the armistice, overran in the mean time the whole province of Franche-comté, for the sole purpose, as he pretended, of compelling Spain to come to a decision*.

duke of Albemarle, lord Ashley, sir Thomas Clifford, sir William Coventry, and sir John Duncombe. Bennet was made secretary of state on Oct. 2, 1668.

* *Œuvres de Louis XIV.* li. 326. 334. 344—55; v. 419.

1667. If it was the interest of England, it was still more the interest of the States, to exclude France from the possession of Flanders. Under this persuasion, sir William Temple, the resident at Brussels, received instructions to proceed to the Hague, and sound the disposition of de Witt; and, on his return to London, was despatched back again to Holland with the proposal of a defensive alliance, the object of which should be to compel the French monarch to make peace with Spain on the terms which he had previously offered*. The States were embarrassed. On the one hand, they considered the interposition of the Spanish Netherlands as the great bulwark of their independence against the superior power of France; on the other, they hesitated to engage in a dangerous war against an ancient friend and ally at the advice of a prince whom they had hitherto considered their personal enemy. But Temple acted with promptitude and address: he appealed to their fears; he represented the danger of delay; and, contrary to all precedent at the Hague, in the short space of five days—had the constitutional forms been observed, it would have demanded five weeks—he negotiated three treaties, which promised to put an end to the war, or, if they failed in that point, to oppose at least an effectual barrier to the further progress of the invader. The first was a defensive alliance by which the two nations bound themselves to aid each other against any aggressor with a fleet of forty men of war, and an army of six thousand four hundred men, or with assistance in money in proportion to the deficiency in men; by the second, the contracting powers agreed by every means in their power to dispose France to conclude a peace with Spain on the alternative already offered, to *persuade* Spain to accept one part of that alternative before the end of May, and, in case of a refusal, to *compel* her by war, on condition that France should not interfere by force of arms. These treaties were meant for the public eye: the third was secret, and

* See his instructions in Courtenay's *Life of Temple*, ii. 381. 384.

bound both England and the States, in case of the refusal of Louis, to unite with Spain in the war, and not to lay down their arms till the peace of the Pyrenees were confirmed. On the same day the Swedish ambassadors gave a provisional, and afterwards a positive April assent to the league, which from that circumstance obtained the name of the triple alliance *.

Louis received the news of this transaction with an air of haughty indifference. His favourite commanders, Condé and Turenne, exhorted him to bid defiance to the interference of the three powers; his cabinet ministers to be content with the alternative which he had himself proposed. He assented to their advice; but for a reason, of which they were ignorant. In consequence of the infirm state of Charles II. of Spain, he had secretly concluded with the emperor Leopold an "even-Jan.

* Temple's Works, i. 312-84. 415. Dumont, vii. 66, 68, 91. Much praise has been lavished on this negotiation, as if it had arrested Louis in his career of victory, and preserved the independence of Europe; but, in fact, it accomplished nothing more than the French king had offered, and was desirous to effect. The terms which the triple alliance sought to enforce were those which Louis had already offered, (l'Estrades, vi. 46,) as is admitted by the treaty itself, which, having mentioned the offer, binds the contracting parties to prevail on the *sepius dictas* *dans* *coronas* *ad* *ineundam* *pacem* *legibus* *et* *conditionibus* *supra* *memoratis* (Dum. vii. 68). Whence the English king, in a letter to his sister, the duchess of Orleans, says, "the effect of the treaty is to bring Spain to consent to the peace" upon the terms the king of France has avowed he will be content with; "so as I have done nothing to prejudice France in this agreement" (Jan. 23). and in another letter to Louis, "en quoi je ne dois croire vous avoir fait une chose désagréable, puisque nous nous sommes convenus de vous proposer ladite paix sur des conditions que vous aviez plusieurs fois témoigné de vouloir accepter, et plus expressément dans votre dernière lettre du 27 (17, O. S.) du mois passé (Feb. 3, Dalrymple, ii. 5. 6). In that letter to which Charles refers,—a letter written after the conclusion of the alliance, but before that conclusion could be known to Louis, he says, "Ce seroit un coup pour la paix, qui la rendroit infallible et prompt, si le roi de la Grand Bretagne entroit dans le même sentiment des états généraux, d'obliger les Espagnols à l'acceptation des deux alternatives." Œuvres, v. 421.

Besides this, Louis had bound himself, in the eventual treaty recently concluded with the emperor, to be content with these terms, and had employed the influence of that prince in the Spanish councils, to prevail on the king of Spain to accept them. It should, however, be remembered that of the eventual treaty the three contracting powers had no knowledge nor suspicion. They might still question the sincerity of the French king's pacific professions: they therefore (and in this consisted the great merit of the alliance) put his sincerity to the test, and deprived him of all pretext for continuing the war, by taking on themselves the task of extorting the consent of the Spanish monarch.

“ tual ” treaty of partition of the Spanish monarchy on the expected death of that prince, and thus had already bound himself by treaty to do the very thing, which it was the object of the allied powers to effect*.

The marquess of Castel-Rodrigo, the Spanish governor of the Netherlands, sought delay, under the vain hope of inducing the Dutch (of England he was secure) to engage at once in the war. But the intervention of the emperor, in consequence of the eventual treaty, put an end to the hesitation of the Spanish cabinet: the ambassadors of the several powers met at Aix-la-Chapelle; Spain made her choice; the conquered towns in Flanders were ceded to Louis, and peace was re-established between the two crowns†. The conduct of Charles during the whole of this transaction served to raise him in the estimation of Europe. But the States could ill dissemble their disappointment. They never doubted that Spain, with the choice in her hands, would preserve Flanders, and part with Franche-comté. It was this persuasion that induced them to refuse the first project of the English ministry, and to prefer the binding of Louis to his offer of the alternative. The result was owing, it is said, to the resentment of Castel-Rodrigo, who, finding that the States would not join with England to confine France within its ancient limits, resolved to punish them by making a cession, which brought the French frontier to the very neighbourhood of the Dutch territory‡.

When the parliament assembled after the adjournment, Buckingham discovered that his success against Clarendon in the last session had proceeded, not from his own influence, but the unpopularity of that statesman. His immediate dependents in the lower house

* Œuvres de Louis, ii. 360—72. See the account of the “ eventual treaty,” which was kept secret for almost a century, in the works of Louis, vi. 402.

† Temple, 420—56. D'Estrades, v. 351. Dumont, vii. 89. 91. Louis vi. 417.

‡ Temple, 414—7.

were heard without attention; and in the higher the jealousy of the churchman had been awakened by his close connexion with the presbyterians, that of the cavaliers by his discharge of the republicans, whom the late administration had incarcerated as a measure of precaution. Neither did it add to the reputation of the prime minister that his profligacy had led him, for the sake of lady Shrewsbury, with whom he lived in open adultery, to fight a duel, in which one of his seconds was killed on the spot, and the earl of Shrewsbury, the injured husband, was mortally wounded*. The commons began by instituting a rigid inquiry into the conduct of persons employed under the former administration. Prince Rupert and the duke of Albemarle had already furnished narratives of their proceedings during the war; commissioner Pett was unpeached of culpable neglect in the care of his majesty's ships when the Dutch entered the river; Penn of the embezzlement of prize goods to the value of 115,000*l.*; and Brunkhard, who had absconded, was expelled the house for his presumption in having ordered sail to be slackened during the pursuit after the victory of the 3d of June, 1665. To these proceedings Buckingham had no objection; but, to his surprise, the commons voted only one half of the sum which he demanded under the head of naval expenses, and obstinately resisted all his efforts to obtain some favour for the dissenters, in accordance with the wish of the sovereign. The conventicle act would expire within six months; and Charles, who still felt himself bound by the declaration of Breda, was anxious to prevent its renewal. Aware of the rock on which his former endeavours had split, he was careful to make no mention of the catholics: he confined his

* Pepys, iv. 15. Lady Shrewsbury was daughter to the earl of Cardigan. Report said that, in the dress of a page, she held the duke's horse while he was fighting with her husband. When Buckingham took her to his own house, the duchess observed to him, that it was not for her and his mistress to live together; he replied—"Why so I have been thinking, "madam, and therefore have ordered your coach to carry you to your "father's." Pepys, 109.

request of indulgence to the dissenters among his protestant subjects; but the very report of his intention had awakened the usual cry that the church was in danger: on the morning, just before he expressed his wish to the two houses, the commons voted an address to him, to put in execution all the laws against non-conformists and papists; and afterwards, a bill was passed and sent to the lords, having for its object to continue the existing penalties against the frequenters of conventicles. This, however, did not prevent the friends of toleration from proposing, in conformity with the royal suggestion, measures for the comprehension of protestant dissenters; but the motion, after several adjourned April debates, was negatived, on a division, by a majority of 28. more than two to one*.

The remaining business in parliament was now interrupted by a most violent quarrel between the two houses, on a question of privilege. Several years had passed since Skinner, a private trader, preferred to the king in council a complaint of divers injuries, which he alleged that he had suffered from the agents of the East-1666. India company. After several hearings, the council
Mar. 23. commissioned the archbishop of Canterbury, the chancellor, and two other lords, to effect a compromise between the parties; but the company refused to abide by their decision, and the king was advised to recommend
Dec. 6. the case to the attention of the house of lords, as the
1667. supreme court of judicature in the nation. But the
Jan. 19. opponents of Skinner objected to the jurisdiction of the
28. lords. The cause, it was maintained, did not come before them by way of appeal, or bill of review, or writ of error. It was an original complaint, which must be first heard in the ordinary courts of law. In the following session, Skinner petitioned the lords for redress; the
Nov. 6. company renewed their objection; but the house pronounced the complainant entitled to damages, and
1668. appointed a committee to assess the amount. After the
Mar. 16.

* Pepys, iv. 34. C. Journals, Ap. 28. Parl. Hist. iv. 413—422.

adjournment, the company petitioned the house of commons for protection against the usurpation of the lords. By the upper house this petition was voted a scandalous libel: the lower not only received it, but May passed resolutions censuring the conduct of the lords as 2. contrary to law, and derogatory from the rights of the subject. They were met with opposite resolutions from the upper house, declaring the votes of the commons a breach of privilege, and the proceedings of the lords warranted both by law and precedent. Thus open war was declared; each house obstinately maintained its own pretensions; the lords resolved to pass no other bill than that of the supply; and the commons rejected a bill 4 which had been sent to them for the regulation of the trials of peers. By the king, the ninth of May had been fixed for the conclusion of the session. Early in the 9. morning the commons sent a message to the lords, proposing a suspension of all proceedings in the cause till the next meeting of parliament, and having received no answer, resolved that whosoever should put in execution the orders or sentence of the house of lords in the case of Thomas Skinner, should be deemed a traitor to the liberties of Englishmen, and an infringer of the privileges of the house of commons. The king, having given the royal assent to the bills which were prepared, ordered the two houses to adjourn, and expressed a hope that before he should meet them again, some expedient might be discovered for the accommodation of this difference. The commons obeyed: but the lords continued to sit, called before them sir Samuel Barnardiston, the governor of the company, and committed him to the custody of the black rod, till he should have paid to the king a fine of 300*l*. Having thus vindicated their authority, they also adjourned*.

* St Trials, vi. 710—63. L. Journ. vii. 420, 7. Parl. Hist. iv. 422. Maivell, 109. On the 8th of May the commons sat on this question from dinner time till five the next morning. Maivell, i. 107. Pepys, iv. 103. Barnardiston remained in custody till the night of Aug. 10, the day

At the restoration of peace, trade quickly returned into its ancient channels; the murmurs of discontent were gradually hushed; and the expiration of the conventicle act afforded relief and satisfaction to the dissenters. The present proved the most tranquil period of the king's reign, but it was disgraced by the extravagance and licentiousness of the higher classes. The gallants of the court shocked the more sober of the citizens by their open contempt of the decencies of life*, while Charles laughed at their follies, and countenanced them by his example. At the same time that he renewed his visits and attentions to the duchess of Richmond, he robbed the theatres of two celebrated actresses, known to the public by the dignified appellations of Moll Davies and Nell Gwin. Davies had attained eminence as a dancer—Gwin attracted admiration in the character and dress of a boy. The former received a splendid establishment in Suffolk-street, and bore the king a daughter, afterwards married into the noble family of the Radclyffes. The latter became the mother of the first duke of St. Albans. Charles never allowed her to interfere in matters of state; but he appointed her of the bed-chamber to the queen, and assigned her lodgings in the neighbourhood of the court. She was so wild, and witty, and eccentric, that he found in her company a perpetual source of amusement, a welcome relief from the cares that weighed so heavily upon him at times, in the subsequent years of his reign. Halit, however, still preserved to Castlemaine the empire which she had formerly acquired. She suppressed all appearances of jealousy, and sought her revenge by allowing to herself the same liberty in which her paramour indulged†.

before the expiration of the adjournment. By whose authority he was discharged, he did not know. *Parl. Hist.* iv. 431.

* See Pepys, iv. 116. 118. 145. Sir Charles Sedley and lord Buckhurst distinguished themselves above others. *Ibid.* 185, 6, 7. *Aut. Wood, Autobiog.* June, 1663.

† Pepys, iv. 10. 14. 90. 111. 223. 250. Evelyn, ii. 339. Burnet, i. 457. Sandford, 652. 4. About this time, May 11, a meteor was seen, and the

While Charles pursued his pleasures, Buckingham sought to consolidate his own power. By degrees he weeded all, of whose fidelity he was suspicious, out of the different departments of the administration. Secretary Morrice was exchanged for sir John Trevor; the duke of Ormond, after a long struggle, surrendered the government of Ireland to the lord Robartes; and Coventry himself was provoked to furnish a decent pretext for his dismissal. Buckingham had procured a farce to be written for the purpose of ridiculing him on the stage. Coventry sent the duke a challenge; the matter was laid before the king in council; and the challenger was sent to the Tower, and deprived of office. But the principal person, against whom he directed his attacks, was the duke of York. He was aware of the contempt which that prince expressed for his character, and of the influence exercised by the duchess, Clarendon's daughter, over the mind of her husband. James received repeated affronts in the name of the king, which he bore without complaint. The conduct of the admiralty was blamed; his friends were displaced; and the dependents of his adversary were introduced into his office in defiance of his remonstrances. It was rumoured that he had lost the royal confidence, and would soon be deprived of his place of lord high admiral. But Charles was recalled to a sense of the protection which he owed to his brother, by the boldness of an old cavalier, sir William Armourer, who told him publicly of the reports in circulation respecting his jealousy of the duke of York. He instantly replied that they were false; and when Buckingham, under pretence of fear for his life from the resentment of James, affected to travel surrounded by armed men, the king laughed in his face at the utter folly of the insinuation. The minister began to feel alarm: he turned

ignorance and bigotry of the people are amusingly described by Pepys on the occasion. "The world do make much discourse of it, then apprehensions being mighty full of the rest of the city to be burned, and the papists 'to cut our throats.'" iv. 112.

to solicit a reconciliation with the duke, and received a contemptuous refusal *.

July 22. Buckingham, however, might depend on the royal favour as long as he could supply the king with money. That nothing was to be obtained from the liberality of the parliament, had been proved by the proceedings in the last session ; and an attempt was therefore made to reduce the annual expediture below the amount of the royal income. On examination, it was found that the yearly receipts did not exceed 1,030,000*l.* ; by a new regulation, three-fourths of this sum were allotted to defray the expenses of the civil list ; and of the remaining fourth, 100,000*l.* was appropriated to discharge the interest of the debt, the remainder to cover accidental deficiencies, and to pay, as far as it would go, the several pensions granted by the king †.

May 11. But this plan of economy accorded not with the royal disposition, nor did it offer any prospect of extinguishing the debt. Charles remembered the promise of pecuniary assistance from France in the beginning of his reign ; and, though his previous efforts to cultivate the friendship of Louis had been defeated by an unpropitious course of events, he resolved to renew the experiment. Immediately after the peace of Aix-la-Chapelle, Buckingham opened a negotiation with the duchess of Orleans, the king's sister, in France, and Charles, in his conversation with the French resident, apologised for his conduct in forming the triple alliance, and openly expressed his wish to enter into a closer union, a more intimate friendship, with Louis. These overtures were at first received with coldness and reserve, which, instead of checking, seemed to stimulate the ardour of

* *Life of James*, 432—40. *Macph.* Pap. i. 41. 3. 5. 7. 50. *Pepys*, iv. 151. 5. 8. 188. 191. 2. 5. 246. 9. 255 7. 262. The reports mentioned by *Pepys* are confirmed by the duke of Ormond: "Arlington told me that I joined too much in my counsels and conversation with men unsatisfied ; and " (which I wondered at) he named the duke and the archbishop of "Canterbury." *Carte*, ii. App. 67.

† See it at length in *Ralph*, i. 175

the king. There was one point in which both monarchs most cordially agreed, their hatred of the Dutch. Charles could not forget their inhospitality during the time of his exile; the unsuccessful termination of the late war had strengthened his dislike; and he ardently wished for the opportunity of gratifying his revenge. On the other hand, the pride of Louis had often been offended by the pride of these republicans; and their presumption in acceding to the secret articles in the triple alliance was deemed by him the strongest proof of their ingratitude. About the end of the year the communications between the two princes became more open and confidential; French money, or the promise of French money, was received by the English ministers; the negotiation began to assume a more regular form, and the most solemn assurances of secrecy were given, that their real object might be withheld from the knowledge, or even the suspicion, of the States*.

In this stage of the proceedings Charles received an important communication from his brother James. Hitherto that prince had been an obedient and zealous son of the church of England; but Dr Heylin's History of the Reformation had shaken his religious credulity, and the result of the inquiry was a conviction that it became his duty to reconcile himself with the church of Rome. He was not blind to the dangers to which such a change would expose him; and he therefore purposed to continue outwardly in communion with the established church, while he attended at the catholic service in private. But, to his surprise, he learned from Symonds,

* See the papers in Dalrymple, ii. 4—21. They are all published as referring to the same subject. But this is a mistake. The letters of Feb. 27, 1669, in p. 4, and of Jan. 19, 1669, in p. 19, ought to be dated in 1665, and that of Feb. 9, 1669, in p. 21, in the year 1666. This is evident from their contents. Also Macpherson, i. 56. The secret, however, was not kept. For the sole information of the king of Sweden, Puffendorf, his agent, was permitted by Turenne to read a letter from Colbert, the ambassador in England, who boasted of his success, adding that he had made some of the leading ministers to feel, sentir tout l'étendue de la libéralité de sa majesté. This Puffendorf communicated to de Witt. Temple, ii. 40.

a jesuit missionary, that no dispensation could authorise such duplicity of conduct: a similar answer was returned to the same question from the pope; and James immediately took his resolution. He communicated to the king in private that he was determined to embrace the catholic faith; and Charles without hesitation, replied, that he was of the same mind, and would consult with the duke on the subject in the presence of lord Arundell, lord Arlington, and Arlington's confidential friend, sir Thomas Clifford. Of these three, the first was a known catholic; the other two had hitherto professed themselves protestants, but more for fashion's sake, than through any real attachment to the reformed creed. They, like most others in the higher circles of society at that period, had, in the language of James, "their religion still to choose."

The meeting was held in the duke's closet. Charles, with tears in his eyes, lamented the hardship of being compelled to profess a religion which he did not approve, declared his determination to emancipate himself from this restraint, and requested the opinion of those present, as to the most eligible means of effecting his purpose with safety and success. They advised him to communicate his intention to Louis, and to solicit the powerful aid of that monarch*.

Here occurs a very interesting question,—was Charles sincere or not? That of the two churches he preferred the more ancient, there can be no doubt. Both the duke of Ormond and Daniel O'Neil had seen reason to suspect him of a secret leaning towards the catholic worship about the time of the conferences at the Pyrenees; and he had recently avowed the same to Arlington and Clifford†. But the king's religious belief was of his own

* James, i. 440. Dalrymple, ii. 22. Macpher. i. 50. 52. See also the travels of Cosmo for the orthodoxy of James, 456.

† Carte's Ormond, ii. 254. James, i. 441. That he was a staunch protestant in 1658 is evident from the papers in Thurlow, i. 740—5; but in 1669, the author of Cosmo's Travels remarks, that though he "observes" with exact attention the religious rites of the church of England, there

creation. To tranquillize his conscience, he had persuaded himself that his immoralities were but trifling deviations from rectitude, which a God of infinite mercy would never visit with severity; and, as for speculative doctrines, the witty and profligate monarch was not the man to sacrifice his ease and to endanger his crown for the sake of a favourite creed. He was the most accomplished dissembler in his dominions; nor will it be any injustice to his character to suspect, that his real object was to deceive both his brother and the king of France. In his next letter to his sister Henrietta, he informs her that the duke had been brought into "the business on "the score of religion," and he openly told her at Dover, that "he was not so well satisfied with the catholic religion, or his own condition, as to make it his faith *."

Now, however, the secret negotiation proceeded with greater activity; and lord Arundell, accompanied by sir Richard Bellings†, hastened to the French court. He solicited from Louis the present of a considerable sum, to enable the king to suppress any insurrection which might be provoked by his intended conversion, and offered the co-operation of England in the projected invasion of Holland, on the condition of an annual subsidy during the continuation of hostilities. To these proposals no direct objection was made; and the discussion turned chiefly on one point, whether the declaration of the king's catholicity should precede or follow the declaration of war.

James, with all the fervour of a proselyte, urged his brother to publish his conversion without delay. War,

"is reason to believe that he does not entirely acquiesce, and that he may "perhaps cherish other inclinations." 456.

* Dalrymple, i. 226; ii. 22. From the expression noticed above, and the duke's subsequent assertion to Baillon that, in the first treaties between Charles and Louis, *il n'avoit fait qu'obeir et se conformer aux volontés du Roi*, (Ibid. 269,) I infer that at first James did not approve of the money treaties between the two monarchs.

† Bellings had been secretary to the catholic confederacy in Ireland, and since the restoration had been confidentially employed by Clarendon in several foreign negotiations. On this occasion he was instructed to draw the articles of the treaty. James, i. 442.

by creating a want of money, would render him dependent on the bounty of parliament: but now he was his own master; the army was loyal; all the governors of garrisons were attached to his person; the sufferings of the non-conformists from the intolerance of the established church would teach them to look on any change as a benefit; and within the pale of the establishment itself there were numbers, who had no settled notions of religion, but were ready to fashion their creed by their convenience.

Louis, on the contrary, represented to the king, that a premature declaration might endanger his crown and his person; that nine-tenths of his subjects were hostile to the catholic faith; that religious discord acted with the fury and the rapidity of a volcano: that insurrection was to be expected in the capital and in every part of his dominions, and that his army was too small, his friends were too few, to countenance the hope of his being able to suppress his opponents. Charles made but a faint endeavour to refute this reasoning. The attempt, he acknowledged, wore the appearance of madness, yet there were reasons to think that it might succeed. In these discussions the year passed away. At Christmas the king publicly received the sacrament; the absence of James, who had been accustomed to accompany his brother, though it did not escape notice, awakened no suspicion*.

After repeated adjournments, the parliament had been suffered to meet in October. The commons immediately revived the quarrel with the lords respecting the case of Skinner. They ordered the printer of "The
(Oct. 19. "Grand Question concerning the Judicature of the
"House of Lords" to be prosecuted, voted that Barnardiston had behaved like a good commoner of England, and passed a bill, vacating the judgment pronounced against him, as contrary to law and the privileges of

* Dalrymple, ii. 30—37. Life of James. i. 412. Macpher. i. 50.

parliament. It was immediately rejected by the lords, who, on their part, passed a bill in vindication of their jurisdiction, which met with a similar fate in the commons. For some time no farther communication took place between the two houses, and the king, to prevent a more violent rupture, put an end to the session by adjournment. The interval was spent by him in earnest endeavours to heal this misunderstanding; and, when they met again, he recommended to both to erase all the proceedings out of their journals, and to abstain from the renewal of the question. They consented: in appearance each house was replaced in the same situation in which it stood before the quarrel; in reality the victory was gained by the commons. By the erasures, the two judgments of the lords were vacated, and since that moment their claim to original jurisdiction in civil causes has been silently abandoned*.

The public business now occupied the attention of parliament. 1°. The expiration of the conventicle act had raised the hopes of the dissenters, and the lord-keeper and the chief justice Hales had been employed to draw an act of comprehension, by which the greater part of them might be incorporated with the establishment. On the one side, Wilkins, bishop of Chester, with Tillotson, Stillingfleet, and Burton, on the other, Bates, Manton, and Baxter, were consulted; and, to remove the chief stumbling-block, the controversy respecting the validity of presbyterian ordination, it was ingeniously proposed that the bishop in the form of re-ordination should make use of the words, "to serve as minister in any parish in England." But the agitation of the project threw the kingdom into a ferment. Parker and Patrick distinguished themselves by the warmth of their writings in support of orthodoxy, and Owen by his learning, Marvell by his wit, ranked at the head of their opponents. One party contended, that to concede at all

* L. Journ. xii. 297. 291. Com. Journ. Feb. 22. Parl. Hist. iv. 431. St. Trials, vi 763—70.

was to betray the cause of the church; the other, that a comprehension of the dissenters offered the only sure expedient to check the diffusion of socinianism and popery. The house of commons did not degenerate from the zeal which it had displayed on so many former occasions. A bill for the suppression of conventicles was sent to the house of lords, where it met with strong opposition from the duke of York and his friends, as well as from the presbyterian peers; but Charles, though he had promised his protection to the non-conformists, deemed it prudent to interfere, and through his solici-
 April 11. tations this intolerant bill was suffered to pass. By it certain fines were enacted against all persons above sixteen years of age who should attend, and all ministers who should officiate, at any religious service different from that of the church of England, against the occupiers of the houses in which meetings for that purpose should be held, and against the magistrates who should neglect to enforce the provisions of the law*.

This act subjected the dissenters to a portion of those severities which had been so frequently inflicted on the catholics. Spies and informers multiplied; the ministers found it necessary to abscond; houses were entered by force, and searched without ceremony; and the inmates were dragged to prison, and condemned to pay fines. That ease, of which the king was so fond, suffered repeated interruptions from complaints and appeals to his justice. When the non-conformists reminded him of his promise of indulgence, he acknowledged the hardship of their case, and checked the vigilance of the officers; when the magistrates remonstrated, that these religious meetings were hot beds of sedition, he asked, why then did they not execute the law? and to the clergy who complained of the prevalence of sectarianism, he sarcastically replied, that it would never have been the case had they paid less attention to their dues and more to their duties. Among the sufferers none excited more

* St. 22. Car. ii. c. i. Burnet, 449—51.

admiration than the quakers, by their fearless adhesion to their principles. Disdaining the precautions taken by the other religionists, they proceeded, at the usual hour, openly but peaceably, to their meeting-house, and, being carried before the magistrates, refused to pay the fines, and were committed to prison. On their release, they returned to the place of meeting as if nothing had happened: the doors were closed; they assembled in the street; and Penn and Mead successively preached. But the auditory was soon dispersed; and the preachers were indicted before the lord mayor and recorder, on the charge of having created a riot. During the trial, the firm and temperate behaviour of the prisoners formed a striking contrast with the harsh and violent proceedings of the court. The jurors, having, after a confinement of thirty-six hours, returned a verdict of not guilty, were fined forty marks each, and committed to prison; and Penn and Mead, though acquitted, suffered the same punishment for contempt, in refusing to uncover their heads in presence of the court*.

2°. The mind of Buckingham was still haunted with the apprehensions of revenge on the part of the late chancellor's family, if James were ever to ascend the throne. The reader will remember that a boy of the name of Crofts, the reputed son of the king by Lucy Barlow, had been placed for education at the Oratory in Paris. Soon after the restoration he came to England; Charles ordered him to conform to the established church, created him, by the advice of Bristol and Castlemaine, but in opposition to the remonstrances of the queen-

* Burnet, i. 471. Neel. c. viii. St. Trials, vi. 951—1036. Sewell, ii. 259—71. James, or perhaps the compiler of his life, tells us that "the rigorous church of England men were let loose, and encouraged under-hand to persecute, that the non-conformists might be more sensible of the ease they should have when the catholics prevailed;" Life, i. 434.) Marvell "that the lieutenantcy of London alarmed the king continually "with the fear of the conventicles, so that he gave them powers." i. 420. It may be remarked that this is the last instance of a fine imposed on jurors under pretence that their verdict was contrary to evidence or the direction of the judge. One of the jurors brought the question before the court of common pleas, and the chief justice Vaughan decided in his favour

mother and Clarendon, duke of Monmouth, and gave to him in marriage the countess of Buccleugh, the most wealthy heiress in Scotland *. Buckingham, observing the unbounded affection of the king for this young man, resolved to set him up as a competitor for the crown in opposition to the duke of York. It was confidentially whispered at court that Charles intended to own him for his successor, and the earl of Carlisle and lord Ashley ventured to hint to the king, that if he were willing to acknowledge a private contract of marriage with the mother of Monmouth, it would not be difficult to procure witnesses who would confirm it with their testimony. The monarch replied without hesitation that, "much as he loved the duke, he had rather see him hanged at Tyburn than own him for his legitimate son †."

Buckingham, though disappointed, was not discouraged. He often lamented the king's misfortune in being married to a woman, whose repeated miscarriages proved that she would never bear him a successor to the throne. When he offered to steal her away, and convey her to some distant region where she would be never heard of, Charles laughed at his folly: but he was listened to with greater attention when he suggested to the monarch to take another wife. He had already consulted lawyers and divines; and Burnet, afterwards bishop of Sarum, in an elaborate judgment, had decided that barrenness in the woman furnished in certain cases a lawful cause for polygamy or divorce‡. Of the two a divorce appeared preferable, as it offered less to shock the feelings of the public; but in cases of divorce no instance could be found of a subsequent legal marriage pending the lives of the parties. The duke, however,

* Clarendon, 205, 6, 7.

† Life of James, i. 437. 490. Macpher. i. 44 Burnet, i. 451. "As for the duke of Bucks," says Ormond, "I am confident he not only undervalues, but hates the king's person and his brother's, and has designs apart, if not aimed at the ruin of them both." Clute, ii. 377.

‡ See Burnet, i. 454, note; and Higgon's on Burnet, 232—243. The paper concludes thus: "I see nothing so strong against polygamy as to balance the great and visible imminent hazards that hang over so many thousands, if it be not allowed."

undertook to create a precedent. Lady Roos had long lived in adultery; she had been separated from her husband by a sentence of the ecclesiastical judge; and her children by her paramour had been declared illegitimate by act of parliament. A more favourable case could hardly be wished for; and a bill was introduced into the upper house, "to enable the lord Roos to marry again." ^{Mar.} Its object instantly transpired; and the royal brothers ^{5.} exerted all their influence, the king to support, the duke of York to oppose, the bill. The latter did not only obtain the votes of his friends and dependents; but as the question involved a point of doctrine respecting the indissolubility of marriage, he was joined by all the bishops, with the exception of Cosins of Durham, and Wilkins of Chester*, by the catholic peers, and by such of the protestant peers as deemed it proper to follow, on theological grounds, the opinion of the prelates. The ^{May} second reading was carried only by a small majority: ^{17.} before the third, Charles adopted a measure to animate his friends which surprised both the house and the nation. One morning he suddenly entered, took his seat ^{Mar.} on the throne, and desired the lords to proceed, as if he ²¹ were not present, for he came only to renew a custom which his immediate predecessors had allowed to fall into desuetude, that of attending at their debates†. James, who saw the motive of his brother, was stimulated to still more active exertions; and, when the

* Mayvill adds Dr. Reynolds of Norwich, but it appears from the journals that he did not attend at all during this session.

† L. Journ. xii 318. Evelyn, Diary, ii. 320. The king had previously consulted a learned antiquary, who replied that it was the custom for the sovereign to be present in parliament till the reign of Henry VIII., that of Henry's attendance no proof could be found, whence it was probable that he had been induced to absent himself by the policy of Wolsey; that Henry's son Edward was prevented by his youth, his daughters Mary and Elizabeth by their sex; and that this disuse during four successive reigns was "the ill occasion of the contrary opinion and practice." It was therefore his opinion that the king had a right to be present in all consultations of state, and discussions of private plaint, "not only to advise and hear, but to determine also." Whether this right extended to capital cases, he had his doubts; that it did to criminal cases, not of blood, was certain. From the answer in manuscript in the collection of Thomas Lloyd, Esq.

Mar. third reading was carried against him by a majority of two, entered his protest on the journals, in which he was followed by thirteen spiritual and fifteen temporal peers. Buckingham triumphed, and yet he gained nothing by the victory. He served a fickle and uncertain master, who changed his resolves according to the impulse of the moment. Charles had entertained with pleasure the project of divorce, as long as its accomplishment appeared distant; but, when the effort was to be made, his sense of justice, perhaps his good nature, assumed the ascendancy, and he refused to avail himself of the benefit to the prejudice of an unprotected and unoffending female. The precedent, however, has not been lost to posterity; and the permission to marry again, which was in this instance granted to lord Roos, forms the authority for the similar permission which has since been regularly inserted in bills of divorce*.

3^d. There still remained the great object for which the parliament had been permitted to meet. Charles, in his speech at the opening of the session, had assured both houses that the rumours respecting the misapplication of the public money during the late war were entirely groundless, and that no part of the parliamentary grants had been diverted from its original destination, but that, in addition, considerable sums, taken partly from his standing revenue, and partly raised on his credit, had been devoted to the same purpose. He therefore requested them to consider the prejudice arising to the national interests from the pressure of an enormous debt, and to supply him with the means of satisfying his creditors. On this occasion he did not plead in vain. His assent to the act against conventicles was the price which he paid; and in return he obtained an additional duty on foreign wines and vinegar for eight years, and an

* I. Journals, xii. 300, 6. 11. 28, 29. Life of James, i. 438, 9. Macpherson, i. 48. 53 Bannet, i. 452—5. Marvell, i. 112. 412 From this period Charles generally attended the house. It proved some restraint on his opponents, and furnished him with the means of whiling away his time. "It was," he said, "as good as going to a play." Marvell, 419.

act to advance the sale of fee-farm rents belonging to the crown. It was calculated that the first could furnish the king with 50,000*l.*, the other with a much larger sum*.

We may now resume the secret negotiation. It had been arranged that, while Louis with his queen made a progress through the territory lately ceded to him by Spain, the duchess of Orleans should pay a short visit to her brother Charles at Dover. It was hoped by the French king that she could induce him to depart from his intention of postponing the war against the States, till he had made the announcement of his conversion; her real object was to procure his permission to separate from her husband, and to fix her residence in England. Charles received her affectionately, and laboured to gratify her with presents and entertainments; but on both points he resisted her prayers and her reasoning; the French ambassador reluctantly consented to subscribe the treaty as it had been drawn by the English commissioners, and Henrietta, with a heavy heart, returned to her state of splendid misery in the court of France†.

May
17.

22.

Of this treaty, thus at length concluded, though much was afterwards said, little was certainly known. All the parties concerned, both the sovereigns and the negotiators, observed an impenetrable secrecy. What became of the copy transmitted to France is unknown; its counterpart was confided to the custody of sir Thomas Clifford, and is still in the keeping of his descendant, the lord Clifford of Chudleigh. The principal articles were: 1°. That

* *J. Journals*, xii. 319. I may here notice that though the bankers paid only six per cent interest on deposits in their hands, they now required from the king ten per cent on the loans advanced to him instead of eight. At the same time the States General paid only two and a half per cent. Temple, ii. 33, 4.

† *Life of James*, i. 418. Macpherson 54. Louis was prepared to make every sacrifice to engage Charles in his "grande affaire" the war against the States. When Colbert, his ambassador in London, made financial objections to the yearly payment of three millions for the "grande affaire" particularly as that affair might last for some years, and draw a considerable quantity of specie out of the realm, he answered on May 2, 1670, "que vos raisons sont bonnes, je les connois pour telles. J'ai mandé qu'il falloit combattre jusqu'à la fin, mais, au pis aller, ne pas manquer la grande affaire" *Œuvres*, v. 466.

the king of England should publicly profess himself a catholic at such time as should appear to him most expedient, and subsequently to that profession should join with Louis in a war against the Dutch republic at such time as the most Christian king should judge proper. 2°. That to enable the king of England to suppress any insurrection which might be occasioned by his conversion, the king of France should grant him an aid of two millions of livres, by two payments, one at the expiration of three months, the other of six months after the ratification of the treaty, and should also assist him with an armed force of six thousand men, if the service of such a force should be thought necessary: 3°. That Louis should observe inviolably the treaty of Aix-la-Chapelle, and Charles be allowed to maintain that treaty in conformity with the conditions of the triple alliance: 4°. That if, eventually, any new rights on the Spanish monarchy should accrue to the king of France, the king of England should aid him with all his power in the acquisition of those rights: 5°. That both princes should make war on the united provinces, and that neither should conclude peace or truce with them without the advice and consent of his ally: 6°. That the king of France should take on himself the whole charge of the war by land, receiving from England an auxiliary force of six thousand men: 7°. That by sea Charles should furnish fifty, Louis thirty, men-of-war; that the combined fleet should be placed under the command of the duke of York: and that, to enable the king of England to support the charge of the naval armament, he should receive every year of the war the sum of three millions of livres from the king of France: 8°. That out of the conquests which might be made, his Britannic majesty should be satisfied with Walcheren, Sluys, and the island of Cad-sand; and that, in separate articles, provision should be made for the interests of the prince of Orange, so that he might find his advantage in the war: 9°. And that, to unite more closely the interests and affections of the

subjects of both crowns, the treaty of commerce already commenced should be speedily concluded*.

From Dover, the king repaired to London, his sister June to the palace of St. Cloud; and in less than three weeks 2. from the time of their parting the fair and fascinating Henrietta, at the age of twenty-six, was, after a very short 20. illness, numbered with the dead. The report that, to punish the infidelity of her husband, she had indulged in similar infidelities, was solemnly contradicted by her in her last moments; and the suspicion that she had been poisoned by his order, with a cup of succory water, received no support from the appearance of the body when it was opened after death†. Henrietta left a favourite maid, *mademoiselle de Querouaille*. Whether it was through his recollection of her beauty, or through regard for his departed sister, Charles, after some time, Nov. invited her to England, and appointed her maid of honour to the queen. In a short time she became one of the royal mistresses‡.

It was thought dangerous to confide the secret of the late treaty to a man so unstable in his counsels, so reck-

* See note (E). It is plain, from comparing the treaty itself with the account of it in the life of James, that that prince, or the compiler of the life, was but ill acquainted with the true history of these transactions. He states erroneously that the treaty was concluded and signed, and some of the money paid in the beginning of the year, and that Henrietta succeeded in persuading the king to waive his right, and to commence with the war against the Dutch. It is remarkable that James left London with Charles for Dover, but on the road was sent back to take care of the metropolis, under the pretence that some disturbance might be caused by the shutting up of conventicles. He reached Dover three days later, and seems to have suspected that Charles wished him out of the way. James, i. 448. Macpherson, i. 54.

† For the first report, see Temple, ii. 175; for the second, James, i. 451. Montague, the ambassador, says in his letter to Charles, of July 15, "I asked her then if she believed herself poisoned; her confessor that was by, understood that word, and told her. Madam, you must accuse no body, but offer up your death to God as a sacrifice. So she would never answer me that question though I asked several times, but would only shrink up her shoulders." See a letter of condolence from Louis to Charles in the Appendix, note (F).

‡ Evelyn (ii. 332) says, "I saw that famous beauty, but in my opinion of a childish, simple, and baby face, *Mademoiselle Querouaille*." See also 349.—The maids of honour were Henrietta Maria Price, Winifred Wells, Louisa de Querouaille, Margaret Blagg, Dorothy Howard, and Sophia Stuart.

less in his resentments as Buckingham: yet it could not be carried into execution without his aid and that of his friends and colleagues, Ashley and Lauderdale. The expedient which was adopted does credit to the ingenuity of the two monarchs. The marshal de Bellefonds was sent to England to condole with Charles on the death of his sister, and Buckingham was despatched to France to return the compliment to Louis. The duke was received with distinguished honour: the king consulted him on his intended war against the States, and held out to him the prospect of the command of the auxiliary force, if he could persuade his sovereign to join as a party in the campaign. This was a bait which the vanity of Buckingham could not refuse. On his return he urged the subject on the consideration of the king and of his colleagues: he obtained permission to open a negotiation with the French ambassador: he amused the two monarchs by complaining of the apathy or infidelity of Arlington and Colbert, who had been instructed to raise objections, that they might irritate his impatience, and entangle him more deeply in the intrigue: and, at length, the dupe had the satisfaction of concluding a treaty, of which he vainly deemed himself the author, but which in reality was a copy of the former, with the omission of the article respecting the king's profession of the catholic religion*.

To this farce was added another. When the first instalment became due, Louis inquired of his good brother, whether he was yet prepared to make the declaration of his catholicity. Charles replied, that he thought it advisable previously to consult the pope, and to obtain such conditions as might render the change less objectionable to his people. This answer was approved, and, in consequence, a vigorous attempt was made to induce

* Dalrymple, ii 68—77 *Œuvres de Louis*, v 471 4. By the second treaty Charles was to receive five instead of three millions of livres, but, in a secret article unknown to Buckingham, he acknowledged that two out of the five were the sum which by the former treaty he was to receive for professing himself a catholic. Dalrymple, 77.

him to join in the war first, and publish his conversion afterwards. But the king was inflexible, and to a second requisition replied, that he could discover no person fit to be trusted with so delicate a negotiation. Louis offered the bishop of Laon, whose services were accepted; but, in a few days, it occurred to Charles Oct that the reigning pontiff was old and infirm, and that it 13. would be more prudent to wait till the accession of his successor; next he determined to employ an English-Nov. man, and spent some time before he named the presi- 7. dent of the English college at Douai; then he contrived to obtain a delay of three months, under pretence of framing and amending the instructions to be given to this envoy; and at last honestly declared that existing 1671. circumstances compelled him to postpone the execution Feb. of his design to some more favourable opportunity. A 15. year later Louis returned to the same subject, and 1672. Charles objected religious scruples, which made him Mar. desirous of consulting some celebrated theologian, but a 11. theologian also skilled in chemistry, that the subject of their conversations might be supposed to be his favourite science. Soon afterwards he determined to make the June celebration of mass in English, and the administration 7. of the sacrament under both forms the indispensable conditions of his conversion. But Louis was then satisfied: he had obtained his purpose of drawing the king into the war, and therefore ceased to call for a declaration, which must have rendered him a useless and burdensome ally*.

With the hope of procuring another supply, Charles Oct. had summoned the parliament in autumn; and the 24. lord keeper in his name informed the houses of the several treaties which had been made for the encouragement and protection of commerce, directed their atten-

* Dalrymple, ii. 62—5. 83, 4. It is impossible to suppress the suspicion that both princes acted with insincerity. Charles put forward his intended conversion merely as an inducement to Louis to supply him with money, and Louis submitted to the deception, that he might draw Charles into the war with the States.

tion to the naval and military preparations of France and Holland, and announced the king's determination to fit out a fleet of fifty sail, to protect the British coasts from such insults as they had suffered in the year 1667. But for this money would be requisite. The last grant had enabled him to pay the interest, and extinguish a portion of the debt. But a considerable part was still unredeemed; and the best means of sustaining the fame and interests of the nation was to give him at once a speedy and plentiful supply. The ministers had been careful to secure a majority in the commons. Charges of prodigality were made, and hints of popery and arbitrary power were thrown out in vain; and the sum of two millions and a half, to be raised from different sources, was cheerfully voted. During the debate, a member suggested a tax on the frequenters of the theatre; and when it was said that the theatre contributed to his majesty's pleasure, sir John Coventry sarcastically inquired, whether "his majesty's pleasure lay among the men or the women players?" This expression was bitterly resented at court; the gallants resolved to punish the insult offered to their sovereign; and the duke of Monmouth committed the task of revenge to Sandys, his lieutenant, and O'Brian, the son of lord Inchiquin. These, taking with them thirteen men of their troop, surprised Coventry in the Hay-market, as he was repairing to his lodgings in the evening, after the house had adjourned during the Christmas holidays. They beat him, threw him on the ground, and made a deep incision on his nose with a pen-knife. The outrage, which was perpetrated with the connivance of the king, and against the remonstrances of the duke of York, created feelings of discontent in the house. It was resolved the first thing after the adjournment, not to proceed with the public business till reparation had been made to the commons of England for the injury inflicted on one of their members; an act was passed, banishing for life the four principal offenders, unless

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they should surrender themselves for trial against a certain day, and rendering them incapable of pardon, except by act of parliament; and the maiming or disfiguring of the person was made, for the future, felony without benefit of clergy. Charles dared not interfere for the protection of his champions; and the commons, appeased by his forbearance, passed the money bills through their several stages*.

This benefit was, however, purchased with the usual sacrifice to the religious prepossessions of the two houses. Mar. Complaints had been made of the growth of popery, 10. that jesuits and priests had become more numerous; that English catholics frequented the chapels of foreign ambassadors; that mass was often celebrated in private houses; that few processes were served out of the exchequer against convicted recusants; that convents and schools had been established for papists; and that two persons openly officiated as popish archbishops in Ireland. Charles, though he was then bound by the late 11. treaty to profess himself a catholic, published a proclamation, such as was desired by the houses, in which he declared that, "as he had always adhered, against all "temptations whatsoever, to the true religion established, "so he would still employ his utmost care and zeal in "its maintenance and defence." But proclamations had often failed of effect: the more orthodox demanded an act of parliament; and a bill for that purpose was 24. sent to the house of lords, where it was read twice, and committed. A dispute respecting privilege prevented its farther progress†.

* Stat. of Realm, 691. Marvell, i. 413. Macpher. i. 57. Ralph, 193. Burnet, i. 469. Lord Dartmouth informs us that Coventry after this was much engaged with the whigs, and professed himself a zealous protestant, yet died a catholic, leaving the bulk of his estate to the college of the Jesuits at St. Omer. Ibid. note. Monmouth, the real contriver of the outrage, escaped, and in a few weeks committed a still more atrocious offence. On the night of Feb. 28th, in company with the young duke of Albemarle and of eight others, in a drunken frolic, he attacked the watch, and killed the beadle of the ward, though the poor man on his knees begged for his life. Charles, to save his son, granted a pardon to all the murderers: but both the crime and the pardon were severely censured by the people. See Marvell, i. 195. 416.

† Com. Journ. Feb. 21; March 1. 10, 11. L. Journals, xii. 451. 468.

- In a bill imposing new duties on imports, the lords, at the petition of the merchants, had altered some of the rates. The commons acknowledged that, in the case of money bills, the upper house had the power to approve or reject, but denied that it had the power to make alterations. The lords called for some proof of this assertion. Where was the record? When had they forfeited the right? It might as well be said that they had not the power to reject; for, if they could not alter a part, how could they annul the whole? Had they confined themselves to this reasoning, they would probably have embarrassed their opponents; for the attorney-general replied that to give any reason would be to weaken a privilege which the commons had possessed in all ages. But the lords appealed also to precedents: the application of these precedents was disputed by the managers; the controversy became daily more intricate; the obstinacy of the parties augmented; and Charles, though by it he lost a valuable bill, was compelled to put an end to the session. The question had been raised by the imprudence of Buckingham; and the result did not tend to raise him in the estimation of his sovereign*.

Before we proceed to the next volume the reader may direct his attention to a few miscellaneous events, which occurred about this time.

1669. 1°. In the month of August, 1669, died at the castle of Colombe, near Paris, the queen-mother, Henriette Aug. Marie de Bourbon. It has been the custom to attribute a great portion of the misfortunes of Charles I. to the control which this beautiful princess possessed over the heart, and, through the heart, over the judgment of her husband. But there is reason to believe that her influence was considerably exaggerated by those whose policy it was to alienate the people from the sovereign, by representing him as guided by the counsels of a

* *L. Journals*, xii. 449. 494. 502. 510. *Marvell*, i. 471. *Parker*, 119. Compare *Macpherson*, i. 58, with *Dalrymple*, ii. 86.

popish wife. On most questions she coincided in opinion with secretary Nicholas; nor will it be rash to conclude that the unfortunate monarch would have fared better, had he sometimes followed their advice. After the death of Charles, she was privately married to Jermyyn, earl of St. Albau's, and lived to see the restoration of her son to the throne of his father. Her last years were chiefly spent in acts of charity and exercises of devotion.

2°. At the commencement of the next year died another celebrated personage, Monk, duke of Albemarle. By Charles his services were always acknowledged, and amply rewarded: but the royalists regretted that the merit of restoring the king should have fallen to an apostate from their cause; and their dislike of the man indulged itself in throwing ridicule and censure on his manners and conduct. It must be owned that there was nothing very brilliant in his character: he was not made to shine in a gay and voluptuous court, nor did he seek to support his rank by a splendid and expensive establishment. But the king always treated him with respect, employed him in posts of difficulty and danger, and honoured his remains with a public funeral in Henry the Seventh's chapel. Within three weeks after his death, the duchess (she had been successively his washerwoman, his mistress, and his wife) followed him to the grave.

3°. The duke of Ormonde, on the 6th of December, was returning in the dark from a dinner given by the city to the young prince of Orange, when in St. James's-street, his footmen, who walked on each side, were sud-

* See "The Life and Death of Henrietta," &c., printed for Dorman Newman, 1685, reprinted by G. Smeeton, 1920. *Life of James*, i. 446.

† The following portrait of Monk is drawn by the French traveller, Monconis. Monk est petit et gros; mais il a la physiognomie de l'esprit le plus solide, et de la conscience la plus tranquille du monde, et avec cela une froideur sans affectation, et sans orgueil ny desdain: il a enfin tout l'air d'un homme modéré et fort prudent: ses meubles, sa table, et le peu de gens qui le contiennent, marquent assez qu'il n'est pas ambitieux. Moncon. Journ. ii. 82.

denly stopped ; and two men forcibly drew the duke out of his carriage, mounted him on horseback behind a third, and, that he might not escape, fastened him with a leathern belt to the rider. The chief of the banditti hastened beforehand to Tyburn, that he might make preparations for hanging the captive ; but on the road to Knightsbridge, the duke, leaning on one side, and raising with his foot the foot of his companion on the other, contrived to drag him from the saddle. Both fell to the ground : footsteps were heard to approach ; and the assassin, having loosened the belt, discharged a brace of pistols at the duke, and instantly fled. The darkness proved favourable to both. The duke escaped with no other injury than what he had suffered in the fall and struggle ; and his adversary eluded with ease the search of his pursuers. Yet the cause and the perpetrators of the outrage remained an impenetrable mystery. Though a committee of the house of lords instituted an inquiry into the case, though the king promised a reward of 1000*l.* to those who should discover the offenders, though a pardon with the same sum of money was offered to any of the accomplices who should inform against the guilty, no clue could be obtained to lead to their apprehension : only it became known that the chief of the gang was Blood of Sarney, in the county of Meath, the author of a libel called “ Mene Tekel,” who had been outlawed for an attempt to surprise the castle of Dublin.

1671. Soon afterwards a person, in the cassock of a clergy-
May man, sought the acquaintance of Edwards the keeper of
9 the regalia in the Tower, and proposed to him a marriage
between his own nephew, and the old man's daughter.
About seven in the morning of May 9th, the pretended
clergyman, with two companions, called on Edwards,
and requested to see the regalia. As soon as they
entered the room, they threw a cloak over the keeper's
head, and forced a gag into his mouth, promising to
spare his life, if he remained quiet : but his struggles

provoked them to knock him down, and wound him in the belly. The clergyman then put the crown under his cassock, one of his companions secreted the globe in his breeches, and the other, having divided the sceptre with a file, deposited the pieces in a bag. But the son of Edwards came by at the time; the alarm was given; the robbers ran; one of them fired at the first sentinel, who, though untouched, immediately fell; the second offered no resistance; and the three ruffians had nearly reached their horses at St. Catherine's-gate, when they were overtaken and secured. They were carried before sir Gilbert Talbot, but the clergyman, who was the leader, refused to answer. Charles himself, through curiosity, or at the instigation of others, attended, when the prisoner improved the opportunity to flatter and terrify the king; he said that his name was Blood, the same who had seized the duke of Ormond, and would have hanged him at Tyburn; that he had even on one occasion undertaken to shoot the king himself at Battersea, but, the moment he took his aim, the awe of majesty unnerved him, and his piece dropped harmless to the ground. He was, however, but one of three hundred, who had sworn to revenge each other's blood. The king might act with him as he pleased. He might doom him to suffer—but it would be at the risk of his own life, and of the lives of his advisers—or he might show him mercy—and in that case he would secure the gratitude and services of a company of fearless and faithful followers. If the unprecedented attempts of this man excited surprise, the conduct of Charles was a mystery, which no one could understand. He not only forgave the offence offered to himself, but he solicited and obtained for Blood a pardon from Ormond, ordered him to remain as a gentleman at court, and gave him an estate of the yearly rent of 500*l.* in Ireland, probably as a compensation for that which he had previously forfeited*.

* See for both facts sir Gilbert Talbot's Narrative Lansdowne, MSS.

5°. For a long time the health of the duchess of York had visibly declined, and she died at St. James's in her
 1671. thirty-fourth year, having been the mother of eight
 Mar. children, of whom only two daughters survived her,
 31. Mary and Anne, both afterwards queens of England. She had been educated in the regular performance of all those devotional exercises which were practised in the church of England before the civil war. She attended at the canonical hours of prayer; she publicly received the sacrament in the royal chapel on every holiday, and once in every month; and she always prepared herself for that rite by auricular confession, and the absolution of the minister. After the birth of her last child, she became still more religious, spending much of her time in her private oratory, and in conversation with divines: and for several months before her death it was observed that she had ceased to receive the sacrament, and began to speak with tenderness of the alleged errors of the church of Rome. Suspicion was excited; and her brother lord Cornbury, in person, her father, the exiled earl of Clarendon, by letter, 1670. endeavoured to confirm her in the profession of the
 Aug. established doctrines. But she had already been reconciled in August to the church of Rome, and in her last illness received the sacrament from the hands of Hunt, a Franciscan friar. Blandford, bishop of Oxford, her protestant confessor, visited her on her death-bed; but the duke informed him of her change of religion, and he contented himself with speaking to her a few words

1659, p. 1—15 Evelyn, who dined in company with Blood at sir Thomas Clifford's, describes him thus: "The man had not only a daring, but a villanous unmerciful countenance, but very well spoken, and dangerously insinuating" Evelyn's Diary, ii. 341. Blood's companions were Hunt, his son-in-law, and Pariet, who had been lieutenant to major-general Harrison under the commonwealth. Charles told Ormond that he had certain reasons for asking him to pardon Blood. He replied that his majesty's command was a sufficient reason Talbot, *ibid.* Blood lived in London till he was charged with having suborned witnesses to swear sodomy against the duke of Buckingham, and died in the prison of the king's bench, 24th Aug. 1681. Somers' Tracts, viii. 438—454.

of consolation and advice. Her conversion was known only to five persons; but the secret gradually transpired, and its publication served to confirm the suspicion that the duke himself was also a catholic. It was, indeed, observed that he occasionally attended on the king during the service in the chapel, but two years had elapsed since he received the sacrament*.

* *Life of James*, i. 452. *Burnet*, i. 537. *Evelyn*, ii. 330. *Travels of Cosmo*, 456.

NOTES.

NOTE (A), Page 81.

REVENUE OF THE PROTECTOR.

WHEN the parliament, in 1654, undertook to settle an annual sum on the protector, Oliver Cromwell, the following, according to the statement of the sub-committee, was the amount of the revenue in the three kingdoms :

Excise and customs in England	£80,000
Excise and customs in Scotland	10,000
Excise and customs in Ireland	20,000
Monthly assessments in England (at 60,000 <i>l</i> .)	720,000
Monthly assessments in Ireland (at 8,000 <i>l</i> .)	96,000
Monthly assessments in Scotland (at 8,000 <i>l</i> .)	96,000
Crown revenue in Guernsey and Jersey,	2,000
Crown revenue in Scotland	9,000
Estates of Papists and delinquents in England	60,000
Estates of Papists and delinquents in Scotland	30,000
Rent of houses belonging to the crown	1,250
Post-office	10,000
Exchequer revenue	20,000
Probate of wills	10,000
Coinage of tin	2,000
Wine licences	10,000
Forest of Dean	4,000
Fines on alienations	20,000
	<hr/>
	1,200,000

[From the original report in the collection of Thomas
Lloyd, Esq.]

NOTE (B), Page 136.

PRINCIPLES OF THE LEVELLERS.

The following statement of the principles maintained by the levellers is extracted from one of their publications, which appeared soon after the death of Cromwell, entitled, "The Leveller; or, The Principles and Maxims concerning Government and Religion, which are asserted by those that are commonly called Levellers. 1659."

PRINCIPLES OF GOVERNMENT.

1°. The government of England ought to be by laws and not by men: that is, the laws ought to judge of all offences and offenders, and all punishments and penalties to be inflicted upon criminals; nor ought the pleasure of his highness and his council to make whom they please offenders, and punish and imprison whom they please, and during pleasure.

2°. All laws, levies of moneys, war and peace ought to be made by the people's deputies in parliament, to be chosen by them successively at certain periods. Therefore there should be no negative of a monarch, because he will frequently by that means consult his own interest or that of his family to the prejudice of the people. But it would be well if the deputies of the people were divided into two bodies, one of which should propose the laws, and the other adopt or reject them.

3°. All persons without a single exception should be subject to the law.

4°. The people ought to be formed into such a military posture by and under the parliament, that they may be able to compel every man to obey the law, and defend the country from foreigners. A mercenary (standing) army is dangerous to liberty, and therefore should not be admitted.

PRINCIPLES OF RELIGION.

1°. The assent of the understanding cannot be compelled. Therefore no man can compel another to be of the true religion.

2°. Worship follows from the doctrines admitted by

the understanding. No man therefore can bind another to adopt any particular form of worship.

3°. Works of righteousness and mercy are part of the worship of God, and so far fall under the civil magistrate, that he ought to restrain men from irreligion, that is, injustice, faith-breaking, oppression, and all other evil works that are plainly evil.

4. Nothing is more destructive to true religion than quarrels about religion, and the use of punishments to compel one man to believe as another.

NOTE (C), Page 179.

That sir Anthony Ashley Cooper was deeply engaged in the intrigues of this busy time is sufficiently manifest. He appears to have held himself out to every party as a friend, and to have finally attached himself to the royalists, when he saw that the royal cause was likely to triumph. Charles acknowledged his services in the patent by which he was created lord Ashley, mentioning in particular "his prudent and seasonable advice with general Monk in order to the king's restoration," (Dugd. ii. 481.) From this passage we may infer that Cooper was one of Monk's confidential advisers: but his admirers have gone much farther, attributing to him the whole merit of the restoration, and representing the lord-general as a mere puppet in the hands of their hero. In proof they refer to the story told by Locke (iii. 471),—a story which cannot easily be reconciled with the more credible and unpretending narrative of Clarges, in Baker's Chronicle, p. 602, edit. 1730. But that the reader may form his own judgment I shall subjoin the chief heads of each in parallel columns.

CLARGES.

1°. Scot, Hazlerig, and others, sought and obtained a private interview with Monk at Whitehall; and Clarges, from their previous conversation with himself, had no doubt that their object was to offer the

LOCKE.

1°. Bordeaux, the French ambassador, visited Monk one evening, and Mrs. Monk, who had secreted herself behind the hangings, heard him offer the aid of Mazarin to her husband, if he was willing to

government of the kingdom to the general.

2. The council of state was sitting in another room: and Clarges, sending for sir A. A. Cooper, communicated his suspicion to him.

3. After some consultation it was agreed that, as soon as Monk, having dismissed Scot and Hazlerig, should enter the council-room, Cooper should move that the clerks be ordered to withdraw.

4. When this was done, Cooper said that he had received notice of a dangerous design: that some seditious persons had made "indecent proposals" to the general; and of such proposals he desired that the council might have a full discovery.

5. Monk, unwilling to expose them, replied that there was very little danger in the case: that some persons had, indeed, been with him to be resolved in scruples respecting the present transactions in parliament; but that he had sent them away well satisfied. p. 602.

6. Bordeaux offered to

take the government on himself, which offer the general accepted.

2. Mrs. Monk sent her brother Clarges to communicate the discovery of her husband's ambitious design to sir A. A. Cooper.

3. Cooper caused a council to be called, and, when they were met, moved that the clerks should withdraw, because he had matter of consequence to communicate.

4. He then charged Monk, "not openly, but by insinuation, that he was playing false with them, so that the rest of the council perceived there was something in it, though they knew not what was meant."

5. Monk replied that he was willing to satisfy them that he was true to his principles. Then, said Ashley, replace certain officers of suspicious character by others of known fidelity. This was done on the spot: the command of the army by the change was virtually taken from Monk; and he was compelled to declare for Charles Stuart.

Monk through Clarges the aid of Mazarin, whether it were his object to restore the king, or to assume the government himself. Monk refused: but consented to receive a visit of civility from the ambassador, on condition that politics should not be introduced. p. 604.

It may be thought that Locke's narrative derives confirmation from another version of the same story in the life of lord Shaftesbury, lately edited by Mr. Cooke, with the following variations. Bordeaux is made to accompany the republicans; the greater part of the night is spent in consultation, and Monk not only consents to assume the government, but resolves to arrest in the morning Cooper and several other influential individuals (p. 232-- 5.) But that life cannot be considered as authority; for the documents, from which it is said to have been compiled, are neither quoted nor described by its author, nor have ever been seen by its present editor.

NOTE (D), Page 257.

EXTRACT OF A LETTER FROM CHARLES II. TO THE LORD CHANCELLOR.

" Now I am on this matter, I thinke it necessary to give
 " you a little good counsell in it, least you may thinke
 " that by making a further stirr in the businesse, you
 " may diverte me from my resolution, which all the
 " world shall never do; and I wish I may be unhappy
 " in this world and in the world to come, if I faile in the
 " least degree of what I have resolved, which is of making
 " my lady Castlemaine of my wive's bedchamber, and
 " whosoever I finde use any endeavour to hinder this
 " resolution of myne (excepte it be only to myselfe),
 " I will be his enemy to the last moment of my life. You
 " know how true a friend I have been to you. If you

“ will oblige me eternally, make this businesse as easy
 “ to me as you can, of what opinion soever you are of:
 “ for I am resolved to go through with this matter, let
 “ what will come of it, which again I solemnly swear
 “ before Almighty God. Therefore, if you desire to have
 “ the countenance of my friendship, meddle no more with
 “ this businesse, except it be to beat down all false and
 “ scandalous reports, and to facilitate what I am sure
 “ my honour is so much concerned in. And whosoever
 “ I find to be my lady Castlemaine’s enemy in this
 “ matter, I do promise upon my word to be his enemy as
 “ long as I live. You may shew this letter to my lord
 “ lieutenant (Ormond), and if you have both a minde to
 “ oblige me, carry yourselves like friends to me in this
 “ matter.” Lansdowne MSS. 1206. 121.

NOTE (E), Page 347.

THE SECRET TREATY OF 1670.

[The original of this important treaty is in the possession of Lord Clifford, to whose kindness I am indebted for the permission of presenting it for the first time to the eyes of the public.]

CHARLES R.

Charles par la grace de dieu Roy de la Grande-Bretagne, France et Irelande, defenseur de la foye, à tous ceux qui ces présentes lettres verront, Salut. Ayant leu et meurement considéré les pouvoirs du Sieur Colbert, ambassadeur de nostre très-cher et très-ami frère et cousin le Roy Très-chrestien datés du 31 octobre 1669 par lesquels notre dit Frère luy donne autorité de conférer avec les commissaires, que nous pourrions nommer, traicter, conclurre, et signer des articles d’une plus étroite amitié, liaison et considération entre nous, et déclare que nulle autre alliance ne luy peut estre plus agréable ny plus avantageuse à ses sujets, nous qui sommes dans les memes dispositions, et qui n’avons point de désir plus ardent que de nous lier d’une amitié parfaite et indissoluble avec nostre d^t Frère, y estant conviés et par la proximité du sang, l’affection et estime

que nous avons pour sa personne, les avantages qui en reviendront aux peuples que dieu a soumis à nostre obéissance, et sur tout l'appuy et assistance, que nous nous pouvons promettre de l'amitié et du zele d'un si puissant allié dans le dessein que nous avons (avec la grace de Dieu) de nous reconcilier avec l'église Romaine, donner par là le repos à nostre conscience, et procurer le bien de la religion catholique, Scavoir faisons qu'ayans une entière confiance en la fidélité, suffisance, zele, et prudence de nostre très-féal et bien-ami le my Lord Arlington, conseiller en nostre conseil privé et nostre premier secrétaire d'estat ; nostre très-féal et bien-ami le my Lord Arundel de Warder ; nostre très-féal et bien-ami le sieur chevalier Clifford, conseiller en nostre conseil privé, Thésorier de nostre maison, et commissaire de nos finances ; nostre féal et bien ami le sieur chevalier Bellings, secrétaire des commandemens de la Reyne nostre très-chere espouse, nous avons les dits my Lords Arlington et Arundel, les sieurs chevaliers Clifford et Bellings commis, ordonné et député, commettons, ordonnons, et députons par ces présentes signées de nostre main, et leur avons donné et donnons plein pouvoir, autorité, commission, et mandement spécial, de conférer avec ledit sieur Colbert, ambassadeur de nostre très-cher et très-ami Frère et Cousin le Roy Très-chrestien, des moyens de parvenir à l'establisement d'une plus estroite amitié, liaison et confédération entre nous, et traicter et convenir ensemble, et sur iceux conclurre, et signer tels articles et conventions que nos dits commissaires aviseront bon estre tant sur le fait du commerce, que sur toutes autres sortes d'affaires et d'intérêts, et mesme de ligues offensives et defensives, et generally faire, négotier, promettre, accorder et signer tout ce qu'ils estimeront nécessaire pour les effets cy dessus dits : Promettant, foye et parolle de Roy, sous l'obligation et hypothèque de tous nos biens présens et à venir de tenir ferme et stable, et d'accomplir, sans jamais y contrevenir n'y permettre qu'il y soit contrevenu, tout ce qui par nos dits commissaires aura esté stipulé promis et accordé en vertu du présent pouvoir, et d'en faire expédier nos lettres de ratification en bonne forme, et

les fournir dans le temps qu'il nous y auront obligez ; en tesmoing de quoy nous avons fait mettre aux dites presentes le scel de nostre secret. Donn^é à Whitehall le quinziésime de décembre, l'an mil six cens soixante et neuf, et de nostre regne le vingt et uniesme.

Par commandement de sa Ma^{te}

ARLINGTON.

Au nom de Dieu tout puissant soit notoire à tous et un chacun, que comme ainsi soit que le éminentissime et très-puissant Prince Charles Second par la grace de dieu Roy de la Grande-Bretagne, et le Sérénissime et très-puissant Prince Louis quatorziésime par la mesme grace de dieu Roy Trèschrétien auroient tousjours donné tous leurs soins et toute leur application à procurer à leurs sujets une félicité parfaite, et que leur propre expérience leur auroit assés fait connoistre que ce bonheur commun ne se peut rencontrer que dans une très-estroite union, alliance, et confédération entre leurs personnes et les pays et estats qui leur sont soumis, à quoy s'estant trouvez esgalement portés, tant par la sincere amitié et affection que la proximité du sang, celle de leurs royaumes, et beau-coup d'autres convenances ont estably entre eux, et qu'ils ont conservé chèrement au plus fort des desmêlés que les intérêts d'autrui leur ont fait avoir ensemble, que par le désir qu'ils ont de pourvoir à la seureté de leurs dits pays et estats, comme aussy au bien et à la commodité de leurs sujets dont le commerce doit recevoir dans la suite du temps de notables avantages de cette bonne correspondance et liaison d'intérêts ; les dits Seigneurs Roys pour exécuter ce saint et louable désir, et pour tousjours fortifier, confirmer, et entretenir la bonne amitié et intelligence qui est à present entre eux, ont commis et député chacun de sa part, sçavoir ledit Seigneur Roy de la Grande-Bretagne le my Lord Arlington conseiller au conseil privé de sa majesté, et son premier secrétaire d'estat, le my Lord Arundel de Warder, le sieur chevalier Clifford, conseiller au conseil privé de sa majesté, Thrésorier de sa maison, et commissaire de ses finances, le s^r chevalier Bellings, secrétaire des commandemens de la Reyne de la Grande-Bretagne,

et ledit seigneur Roy Très-chretien le sieur Charles Colbert, seign^r de Croissy, conseiller ord^{re} de sa majesté en son conseil d'estat, et son ambassadeur ordinaire vers sa majesté de la Grande-Bretagne, suffisamment autorisés, ainsy qu'il apparoitra par la teneur des dits pouvoirs et commissions à eux respectivement donnés par lesdits Seigneurs Roys et insérés de mot à mot à la fin de ce present traicté, en vertu des quels pouvoirs ils ont accordé au noins des susdits Seigneurs Roys les articles qui ensuivent.

1. Il est convenu, arresté et conclu qu'il y aura à toute perpétuité bonne secure et ferme paix, union, vraye confraternité, confédération, amitié, alliance, et bonne correspondance entre le dit seigneur Roy de la Grande-Bretagne, ses hoirs, et successeurs d'une part, et le dit Seigneur Roy Très-chretien de l'autre, et entre tous et chacun de leurs Royaumes, estats et territoires, comme aussy entre leurs sujets et vassaux, qu'ils ont ou possèdent à présent, ou pourront avoir, tenir, et posséder cy après, tant par mer et autres eaux que par terre: et pour tesmoigner que cette paix doit estre inviolable sans que rien au monde la puisse à jamais troubler il s'ensuit des articles d'une confiance si grande, et d'ailleurs si avantageuse aux dits Seigneurs Roys, qu'à peine trouvera-t-on que dans aucun siècle on en ait arresté et conclu de plus importants.

2. Le Seigneur Roy de la Grande-Bretagne estant convaincu de la vérité de la religion catholique, et résolu d'en faire sa declaration, et de se reconcilier avec l'Eglise Romaine aussy tost que le bien des affaires de son royaume luy pourra permettre, a tout sujet d'espérer et de se promettre de l'affection et de la fidélité de ses sujets qu'aucun d'eux, mesme de ceux sur qui dieu n'aura pas encore asses abondamment respandu ses graces pour les disposer par cet exemple si auguste à se convertir, ne manqueront jamais à l'obéissance inviolable que tous les peuples doivent à leurs souverains mesme de Religion contraire; néantmoins comme il se trouve quelques fois des esprits brouillons et inquiets qui s'efforcent de troubler la tranquillité publique principalement lorsqu'ils peuvent couvrir leurs mauvais desseins du prétexte plausible de religion, sa majesté de la

Grande-Bretagne qui n'a rien plus à coeur (après le repos de sa conscience) que d'affermir celui que la douceur de son gouvernement a procuré à ses sujets, a crû que le meilleur moien d'empêcher qu'il ne fust altéré, seroit d'estre assuré en cas de besoin de l'assistance de sa majesté Très-chrestienne, laquelle voulant en cette occasion donner au Seigneur Roy de la Grande-Bretagne des preuves indubitables de la sincérité de son amitié, et contribuer au bon succès d'un dessein si glorieux, si util à sa majesté de la Grande Bretagne, mesme à toute la religion Catholique, a promis et promet de donner pour cet effet au dit Seigneur Roy de la Grande-Bretagne la somme de deux millions de livres tournoises dont la moitié sera payée trois mois après l'eschange des ratifications du présent traicté en espee à l'ordre dudit Seigneur Roy de la Grande-Bretagne à Calais, Dieppe, ou bien au Havre de Grace, ou remis par lettres de change à Londres au risques perils et frais dudit Seigneur Roy Très-chrestien, et l'autre moitié de la mesme manière dans trois mois après : et en outre ledit Seigneur Roy Très-chrestien s'oblige d'assister de troupes sa majesté de la Grande-Bretagne, jusqu'au nombre de six mille hommes de pied s'il est besoin, est mesme de les lever et entretenir à ses propres frais et des leurs, tant que ledit Seigneur Roy de la Grande-Bretagne jugera en avoir besoin pour l'exécution de son dessein : et lesdites troupes seront transportées par les vaisseaux du Roy de la Grande-Bretagne en tels lieux et ports qu'il jugera le plus à propos pour le bien de son service, et du jour de leur embarquement seront payées, ainsy qu'il est dit, par sa majesté Très-chrestienne, et obéiront aux ordres du dit Seigneur Roy de la Grande-Bretagne ; et le temps de ladite déclaration de Catholicité est entièrement remis au choix dudit Seigneur Roy de la Grande-Bretagne.

3. Item a esté convenu entre le Roy Très-chrestien et sa Majesté de la Grande Bretagne que ledit Seigneur Roy Très-chrestien ne rompra ny n'enfreindra jamais la paix qu'il a fait avec l'Espagne, et ne contreviendra en chose quelconque à ce qu'il a promis par le traicté d'Aix la Chapelle, et par conséquent il sera permis au Roy de la Grande-Bretagne de maintenir ledit traicté conformé-

ment aux conditions de la triple alliance, et des engagements qui en dépendent.

4. Il est aussi convenu et accordé que s'il échoit cy-après au Roy Trèschrétien de nouveaux tiltres et droits sur la Monarchie d'Espagne, ledit Seigneur Roy de la Grande-Bretagne assistera sa Majesté Trèschrétienne de toutes ses forces tant par mer que par terre, pour luy faciliter l'acquisition desdits droits, le tout suivant les conditions particulières dont lesdits Seigneurs Roys se réservent de convenir tant pour la jonction de leurs forces, après que le cas de l'escheance desdits tiltres et droits sera arrivé, que pour les avantages que ledit Seigneur Roy pourra raisonnablement désirer : et lesdits Seigneurs Roys s'obligent réciproquement dès à présent de ne faire aucun traité de part n'y d'autre pour raisons lesdits nouveaux droits et tiltres avec aucun Prince ou Potentat quel que ce puisse estre que de concert et du consentement de l'un et de l'autre

5. Lesdits Seigneurs Roys ayant chacun en son particulier beaucoup plus de sujets qu'ils n'en auroient besoin pour justifier dans le monde la résolution qu'ils ont pris de mortifier l'orgueil des estats généraux des provinces unies de pays bas, et d'abbatre la puissance d'une nation qui s'est si souvent noircie d'une extrême inhumanité envers ses propres fondateurs et créateurs de cette république, et laquelle mesme a l'audace de se vouloir aujourd'huy eriger en souverains arbitres et juges de tous les autres potentats, il est convenu, arrêté et conclu, que leurs Majestés déclareront et feront la guerre conjointement avec toutes leurs forces de terre et de mer aux dits estats généraux des provinces unies des pays bas, et qu'aucun desdit Seigneurs Roys ne pourra faire de traité de paix, de trêves, ou de suspension d'armes avec eux, sans l'avis et le consentement de l'autre, comme aussi que tout commerce entre les sujets desdits Seigneurs Roys et ceux desdits estats sera défendu, et que les navires et biens de ceux qui trafiqueront nonobstant cette défense pourront estre saisis par les sujets de l'autre Seigneur Roy, et seront réputés de juste prise ; et tous traités précédens faits entre lesdits estats et aucun desdit Seigneurs Roys ou leurs prédécesseurs demeureront nuls, excepté celui de la triple

alliance fait pour la manutention du traité d'Aix la Chapelle, et si après la déclaration de la guerre on prend prisonniers les sujets d'aucun desdits Seigneurs Roys qui seront enrôlés au service desdits estats, ou s'y trouveront actuellement, ils seront exécutés à mort par la justice dudit Seigneur Roy dont les sujets les auront pris.

6. Et pour faire et conduire cette guerre aussy heureusement que lesdits Seigneurs Roys espèrent de la justice de la cause commune, il est aussy convenu que sa majesté Trèschrétienne se chargera de toute la despense qu'il conviendra faire pour mettre sur pied, entretenir, et faire agir les armées nécessaires pour attaquer puissamment par terre les places et pays desdits estats, ledit Seigneur Roy de la Grando-Bretagne s'obligeant seulement de faire passer dans l'armée dudit Seigneur Roy Trèschrétien, et d'y entretenir tousjours à ses despens un corps de six mil hommes de pied, dont le commandant sera général, et obéira à sa Majesté Trèschrétienne, et à celui qui commandera en chef l'armée, ou ledit corps de troupes servira comme auxiliaire, lequel se composera de six régimens de dix companies chacun, et de cent hommes chaque compagnie: et lesdites troupes seront transportées et débarquées en tels ports ou havres et en tel temps qu'il sera concerté cy-apres entre lesdits Seigneurs Roys; ensorte néanmoins qu'elles puissent arriver aux costes de Picardie, ou tel autre lieu qui sera concerté, au plus tard un mois après que les flottes se seront jointes aux environs de Portsmouth, ainsy qu'il sera dit cy-apres.

7. Et pour ce qui regard la guerre de mer ledit Seigneur Roy de la Grande Bretagne se chargera de ce fardeau, et armera au moins cinquante gros vaisseaux, et dix bruslots, auxquels le dit Seigneur Roy Trèschrétien s'obligera de joindre une escadre de trente bons vaisseaux François, dont le moindre portera quarante pièces de canon, et un nombre de bruslots suffisant jusques à dix mesme s'il est nécessaire, à proportion de ce qu'il y en devra avoir en la flotte; laquelle escadre de vaisseaux auxiliaires François continuera à servir durant le temps de ladite guerre aux frais et despens de sa Majesté Trèschrétienne, et en cas de perte d'hommes

et de vaisseaux, ils seront remplacés le plustot qu'il se pourra par sa Majesté Trèschrétienne et ladite escadre sera commandée par un vice-amiral ou lieutenant-général Francois qui obéira aux ordres de son altesse Royale Monseigneur le duc de Yorke en vertu des pouvoirs que lesdits Seigneurs, Roys donneront audit Seigneur duc, chacun pour les vaisseaux qui luy appartiennent; et pourra ledit Seigneur duc attaquer et combattre les vaisseaux Hollandois, et faire tout ce qu'il jugera le plus à propos pour le bien de la cause commune, jouira aussy de l'honneur du pavillon, des saluts, et des toutes les autres autorités, prérogatives, et prééminences dont les amiraux ont coutume de jouir, et d'autre part aussy le dit vice-amiral ou lieutenant-général Francois aura pour sa personne la préséance dans les conseils, et pour son vaisseau et pavillon de vice-amiral celle de la marche sur le vice-amiral et vaisseau de ce nom Anglois. Au surplus les capitains, commandans, officiers, matelots et soldats de l'une et de l'autre nation se comporteront entre eux amicalement, suivant le concert qui sera fait cy-après, pour empêcher qu'il n'y arrive aucun incident qui puisse altérer la bonne union; et afin que le dit Seigneur Roy de la Grande-Bretagne puisse plus facilement supporter les fraix de cette guerre, sa Majesté Trèschrétienne s'oblige a payer tous les ans audit Roy tant que ladite guerre durera en la manière susdite la somme de trois millions de livres Tournoises dont le premier payement qui sera de sept cens cinquante mille livres tournoises, se fera trois mois avant la déclaration de la guerre, le second de pareille somme dans le temps de ladite déclaration, et le reste montant à quinze cens mille livres tournoises six mois après ladite déclaration: et en années suivantes le premier payement qui sera de sept cens cinquante mille livres tournoises se fera au premier de Febrier, le second de pareille somme au premier de May, et le troisième montant à quinze cens mille livres tournoises au quinsième d'octobre, lesquelles sommes seront payées en espece à l'ordre du Roy de la Grande-Bretagne, à Calais, Dieppe, ou Havre de Grace, ou bien remises par lettres de change à Londres aux risques, perils, et fraix dudit Seigneur Roy Trèschrétien. Il a

esté aussy convenu et arresté que ledit Seigneur Roy de la Grande-Bretagne ne sera obligé de déclarer cette guerre, jusqu'à ce que l'escadre auxiliaire desdits trente vaisseaux de guerre François et dix brulots soient joints avec la flotte Angloise aux environs de Port-moeth, et de toutes les conquestes qui se feront sur les estats généraux sa majesté de la Grande Bretagne se contentera des places qui s'ensuivent; sçavoir l'isle de Walkeren, l'escluse avec l'isle de Cassants et la manière d'ataquer et de continuer la guerre sera adjustée par un règlement qui sera cy-apres concerté, et d'autant que la dissolution du gouvernement des estats généraux pourroit apporter quelque préjudice au Prince d'Orange neveu du Roy de la Grande Bretagne et mesme qu'il se trouve des places, villes et gouvernemens qui luy appartiennent dans le portage qu'on se propose de faire du pays, il a esté arresté et conclu que lesdits Seigneurs Roys feront leur possible à ce que le dit Prince trouve ses avantages dans la continuation et fin de cette guerre, ausy qu'il sera cy après stipulé dans des articles à part.

8. Item a esté arresté qu'avant la declaration de cette guerre lesdits Seigneurs Roys feront tous leurs efforts conjointment ou en particulier, selon que l'occasion le pourra requier, pour persuader aux Roys de Suede et de Dannemark ou à l'un d'eux d'entrer en cette guerre contre les estats généraux, au moins de les obliger de se tenir neutres, et l'on taschera de mesme d'attirer dans ce party les Electeurs de Cologne et de Brandenbourg, la maison de Brunswick, le duc de Neubourg et l'evêque de Munster. Les dits Seigneurs Roys feront ausy leur possible pour persuader mesme à l'empereur et la couronne d'Espagne de ne s'opposer pas à la conqueste dudit pays.

9. Il est pareillement convenu et accordé qu'après que le dit Seigneur Roy de la Grande-Bretagne aura fait la declaration spécifiée au second article de ce traité, qu'on espère moyennant la grace de dieu devostre suivi d'un heureux succès, il sera entièrement au pouvoir et au choix dudit Seigneur Roy Très-chrestien de déterminer le temps auquel lesdits Seigneurs Roys devront faire la guerre avec leurs forces unies contre les estats généraux: sa majesté de la Grande Bretagne

promettant d'en faire aussy sa déclaration conjointment dans le temps que sa majesté Trèschrétienne jugera estre le plus propre pour cet effect, ledit Seigneur Roy de la Grande-Bretagne estant assouré que sa majesté Trèschrétienne nommant ledit temps aura esgard aux intérêts des deux couronnes, qui après la conclusion de ce traicté seront communs à tous deux et inséparables.

10. Si dans aucun traicté précédent fait par l'un ou l'autre desdits Seigneurs Roys avec quelque Prince ou estat que ce soit, il se trouve des clauses contraires à celles qui sont spécifiques dans cette ligue, lesdites clauses seront nulles, et celles qui sont contenues dans ce présent traicté demeureront dans leur force et vigueur.

Et pour d'autant plus unir les esprits et intérêts des sujets desdits Seigneurs Roys il a esté convenu que le traicté de commerce qui se fait à présent, s'achèvera au plutôt qu'il se pourra.

Lesquels points et articles cy dessus énoncés ensemble, et tout le contenu en chacun d'iceux ont esté traictés accordés, passés, et stipulés entre le my Lord Arlington. le my Lord Arundell de Warder, le sieur chevalier Chiford, et le sieur chevalier Bellings commissaires de sa majesté de la Grande-Bretagne, et le sieur Colbert, ambassadeur de sa majesté Trèschrétienne, aux noms desdit Seigneurs Roys, et en vertu de leurs pouvoirs dont les copies sont insérées au bas du présent traicté. Ils ont promis et promettent sous l'obligation de tous et chascuns des biens et estats présens et à venir desdits Seigneurs Roys qu'ils seront par leurs majestés inviolablement observés et accomplis, et de s'en bailler et délivrer réciproquement dans un mois du jour et date des présentes, et plustost, si faire se peut, les lettres de ratification desdits Seigneurs Roys en la meilleure forme que faire se pourra: et d'autant qu'il est absolument nécessaire pour le bon succès de ce qui est stipulé par le présent traicté, de le tenir fort secret, jusqu'à ce qu'il soit temps de le mettre à exécution, lesdits sieurs commissaires et ambassadeur sont demurés d'accord, qu'il suffira pour la validité du dit traicté que les ratifications desdits Seigneurs Roys soient signées de leurs propres mains, et cachetées du seau de leur secret, que lesdits

Seigneurs Roys déclareront dans les dites lettres de ratification avoir pour cet effect la mesme force que si leur grand sceau y estoit apposé, ce que mesme chacun d'eux s'obligera de faire aussy tost qu'il le pourra, et qu'il en sera requis. En foy de quoy les dites sieurs commissaires et ambassadeur ont signé le présent traicté et à iceluy fait apposer le cachet de leurs armes. A Douvres ce vingt et deuxiesme jour du mois de May l'an de grace mil six cens soixante et dix.

⊙ ARLINGTON.
 ⊙ T. ARUNDELL.
 ⊙ T. CLIFFORD.
 ⊙ R. BELLINGS.

COLBERT. ⊙

There follow three additional secret articles signed at Dover the same day. By the first, if Charles could not spare six thousand men, Louis was to be content with four;—by the second, if the duke of York were to retire from the command of the fleet, the English admiral was to enjoy all the command and powers which the duke ought to possess;—and, by the third it was agreed, that the stipulation in favour of the prince of Orange should not prevent the other powers from making war conjointly at the time stipulated by the 9th article.

In another paper is a declaration that, if in the treaty or the powers of the negociators, il se trouve quelque chose dans, les tiltres et qualités des Roys nos maistres, qui soit contraire à la pluralité des traictés qui ont este faits entre l'Angleterre et la France, tant sous le regne du feu Roy d'Angleterre Charles prémiér, que sous celuy du Roy regnant à présent, nous le réformerons avant l'eschange des ratifications du dit traicté, et sans retardment d'icelle.

NOTE (F), Page 347.

On the day of the death of Henrietta, duchess of Orleans, Louis wrote the following Letter of condolence to Charles :—

Versailles, le 30 juin 1670.

MONSIEUR MON FRERE,—La tendre amitié que j'avois pour ma sœur vous étoit assez connue pour n'avoir pas de peine à comprendre l'étoit ou m'a réduit sa mort. Dans cet accablement de douleur je puis dire que la part que je prends à la vôtre, pour la perte d'une personne qui vous étoit si chère aussi bien qu'à moi, est encore un surcroît à l'excès de mon affliction : le seul soulagement dont je suis capable, est la confiance qui me reste, que cet accident ne changera rien à nos affections, et que vous me conserverez les vôtres aussi entières, que je vous conserverai les miennes. Je me remets du surplus au sieur Colbert, mon ambassadeur.

END OF VOL. XI.